

**JOURNAL**  
**of the**  
**SENATE OF THE**  
**NINETEENTH LEGISLATURE**  
**of the**  
**STATE OF HAWAII**

---

**Regular Session of 1997**

**Convened Wednesday, January 15, 1997**  
**Adjourned Thursday, May 1, 1997**

**OFFICERS OF THE SENATE**

**President**

**HONORABLE NORMAN MIZUGUCHI.....Honolulu, Hawaii**

**Vice President**

**HONORABLE ANDREW LEVIN.....Ka'u - S. Kona, Hawaii**

**Clerk**

**PAUL T. KAWAGUCHI.....Honolulu, Hawaii**

**Assistant Clerk**

**CAROL T. TANIGUCHI.....Honolulu, Hawaii**

**Sergeant at Arms**

**BIENVENIDO C. VILLAFLORES.....Honolulu, Hawaii**

**Assistant Sergeant at Arms**

**ABRAHAM PACHECO.....Honolulu, Hawaii**

**LIST OF MEMBERS**  
of the  
**SENATE OF THE NINETEENTH LEGISLATURE**  
of the  
**STATE OF HAWAII**

<b>DISTRICT</b>	<b>NAME</b>	<b>ADDRESS</b>
<b>First</b>	<b>SOLOMON, MALAMA (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Second</b>	<b>MATSUURA, RICHARD M. (D) * METCALF, WAYNE (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Third</b>	<b>LEVIN, ANDREW (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Fourth</b>	<b>BAKER, ROSALYN H. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Fifth</b>	<b>TANAKA, JOE (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Sixth</b>	<b>CHUMBLEY, AVERY (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Seventh</b>	<b>FERNANDES SALLING, LEHUA (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Eighth</b>	<b>SLOM, SAM (R)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Ninth</b>	<b>MATSUNAGA, MATT (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Tenth</b>	<b>IHARA, LES, JR. (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>
<b>Eleventh</b>	<b>TANIGUCHI, BRIAN (D)</b>	<b>The Senate State Capitol Honolulu, Hawaii 96813</b>

DISTRICT	NAME	ADDRESS
Twelfth	FUKUNAGA, CAROL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Thirteenth	TAM, ROD (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourteenth	CHUN OAKLAND, SUZANNE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifteenth	MIZUGUCHI, NORMAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixteenth	SAKAMOTO, NORMAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventeenth	IGE, DAVID (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighteenth	IWASE, RANDY (D)	The Senate State Capitol Honolulu, Hawaii 96813
Nineteenth	KAWAMOTO, CAL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twentieth	KANNO, BRIAN (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-First	AKI, JAMES (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Second	BUNDA, ROBERT (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Third	MCCARTNEY, MIKE (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fourth	IGE, MARSHALL (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fifth	ANDERSON, WHITNEY (R)	The Senate State Capitol Honolulu, Hawaii 96813

\* The Governor appointed Wayne Metcalf to the Second Senatorial District on February 1, 1997, to fill the vacancy created by the resignation of Richard M. Matsuura from the State Senate.

STANDING COMMITTEES

COMMERCE, CONSUMER PROTECTION, AND INFORMATION TECHNOLOGY

Senator Rosalyn H. Baker, Co-Chair  
Senator David Ige, Co-Chair

Senator James Aki  
Senator Suzanne Chun Oakland  
Senator Brian Kanno

Senator Malama Solomon  
Senator Sam Slom

ECONOMIC DEVELOPMENT

Senator Joe Tanaka, Co-Chair  
Senator Brian Taniguchi, Co-Chair

Senator Robert Bunda  
Senator Avery Chumbley  
Senator Randy Iwase  
Senator Cal Kawamoto

Senator Matt Matsunaga  
Senator Malama Solomon  
Senator Sam Slom

EDUCATION

Senator James Aki, Co-Chair  
Senator Rod Tam, Co-Chair

Senator Lehua Fernandes Salling  
Senator David Ige  
Senator Marshall Ige  
Senator Richard Matsuura

\* Senator Mike McCartney  
\*\* Senator Wayne Metcalf  
Senator Sam Slom

GOVERNMENT OPERATIONS AND HOUSING

Senator Robert Bunda, Co-Chair  
Senator Marshall Ige, Co-Chair

Senator Matt Matsunaga

Senator Whitney Anderson

HEALTH AND ENVIRONMENT

Senator Andrew Levin, Co-Chair  
Senator Richard Matsuura, Co-Chair  
\*Senator Mike McCartney, Co-Chair  
\*\*Senator Wayne Metcalf, Co-Chair

Senator Suzanne Chun Oakland  
Senator Rod Tam

Senator Sam Slom

HUMAN RESOURCES

Senator Suzanne Chun Oakland, Co-Chair  
Senator Brian Kanno, Co-Chair

Senator Rosalyn H. Baker  
Senator Carol Fukunaga  
Senator Andrew Levin

Senator Norman Sakamoto  
Senator Whitney Anderson

JUDICIARY

Senator Avery Chumbley, Co-Chair  
Senator Matt Matsunaga, Co-Chair

Senator Robert Bunda  
\* Senator Les Ihara, Jr.  
Senator Richard Matsuura  
Senator Mike McCartney

\*\* Senator Wayne Metcalf  
Senator Norman Sakamoto  
Senator Whitney Anderson

**TRANSPORTATION AND INTERGOVERNMENTAL AFFAIRS**

Senator Cal Kawamoto, Co-Chair  
Senator Norman Sakamoto, Co-Chair

Senator James Aki  
Senator Avery Chumbley  
Senator Lehua Fernandes Salling

Senator Brian Kanno  
Senator Sam Slom

**WATER, LAND, AND HAWAIIAN AFFAIRS**

Senator Randy Iwase, Co-Chair  
Senator Malama Solomon, Co-Chair

Senator Rosalyn H. Baker  
Senator Carol Fukunaga  
Senator David Ige

Senator Joe Tanaka  
Senator Brian Taniguchi  
Senator Whitney Anderson

**WAYS AND MEANS**

Senator Lehua Fernandes Salling, Co-Chair  
Senator Carol Fukunaga, Co-Chair

Senator Marshall Ige  
Senator Les Ihara, Jr.  
Senator Randy Iwase  
Senator Cal Kawamoto  
Senator Andrew Levin

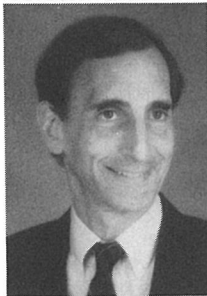
Senator Rod Tam  
Senator Joe Tanaka  
Senator Brian Taniguchi  
Senator Whitney Anderson

- \* Upon the resignation of Senator Richard M. Matsuura from the State Senate, the President, on January 24, 1997, temporarily appointed Senator Mike McCartney as Co-Chair of the Committee on Health and Environment and as a member of the Education Committee, and Senator Les Ihara, Jr., as a member of the Judiciary Committee.
- \*\* The President appointed Senator Wayne Metcalf on February 3, 1997, to replace Senator Mike McCartney as Co-Chair of the Committee on Health and Environment and as a member of the Education Committee, and Senator Les Ihara, Jr., as a member of the Judiciary Committee.

**MEMBERS OF THE SENATE  
NINETEENTH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 1997**



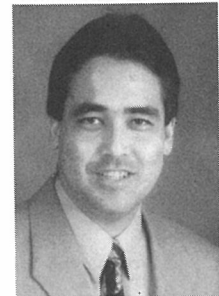
**NORMAN MIZUGUCHI**  
15th Senatorial District  
President



**ANDREW LEVIN**  
3rd Senatorial District  
Vice President  
Co-Chair: Health and  
Environment



**LES IHARA, JR.**  
10th Senatorial District  
Majority Leader



**MIKE McCARTNEY**  
23rd Senatorial District  
Majority Leader



**WHITNEY ANDERSON**  
25th Senatorial District  
Minority Leader



**SAM SLOM**  
8th Senatorial District  
Minority Floor Leader



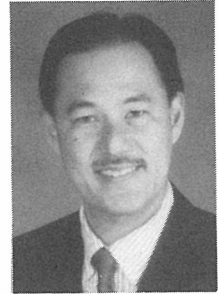
**ROSALYN H. BAKER**  
4th Senatorial District  
Co-Chair: Commerce,  
Consumer Protection, and  
Information Technology



**DAVID IGE**  
17th Senatorial District  
Co-Chair: Commerce,  
Consumer Protection, and  
Information Technology



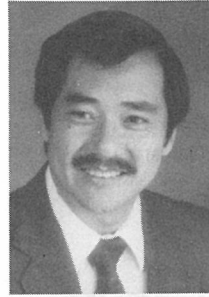
**JOE TANAKA**  
5th Senatorial District  
Co-Chair: Economic  
Development



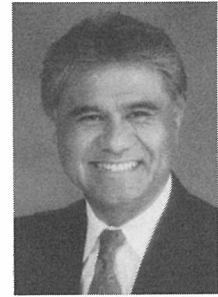
**BRIAN TANIGUCHI**  
17th Senatorial District  
Co-Chair: Economic  
Development



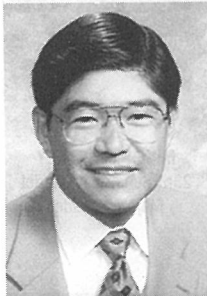
**JAMES AKI**  
21st Senatorial District  
Co-Chair: Education



**ROD TAM**  
13th Senatorial District  
Co-Chair: Education



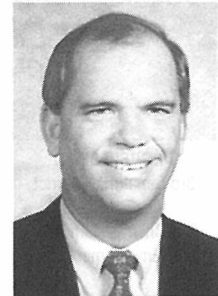
**ROBERT BUNDA**  
22nd Senatorial District  
Co-Chair: Government  
Operations and Housing



**MARSHALL IGE**  
24th Senatorial District  
Co-Chair: Government  
Operations and Housing



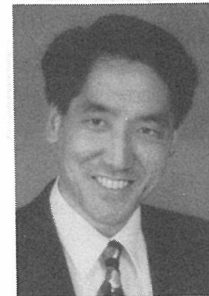
**RICHARD M. MATSUURA**  
2nd Senatorial District  
Co-Chair: Health and  
Environment



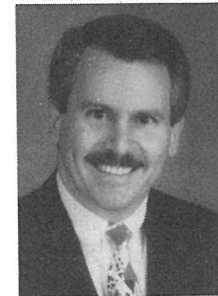
**WAYNE METCALF\***  
2nd Senatorial District  
Co-Chair: Health and  
Environment



**SUZANNE CHUN OAKLAND**  
14th Senatorial District  
Co-Chair: Human  
Resources



**BRIAN KANNO**  
20th Senatorial District  
Co-Chair: Human  
Resources



**AVERY CHUMBLEY**  
6th Senatorial District  
Co-Chair: Judiciary

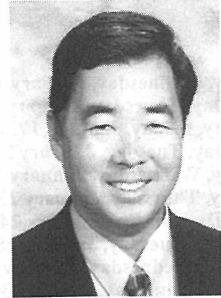




**MATT MATSUNAGA**  
9th Senatorial District  
Co-Chair: Judiciary



**CAL KAWAMOTO**  
19th Senatorial District  
Co-Chair: Transportation  
and Intergovernmental  
Affairs



**NORMAN SAKAMOTO**  
16th Senatorial District  
Co-Chair: Transportation  
and Intergovernmental  
Affairs



**RANDY IWASE**  
18th Senatorial District  
Co-Chair: Water, Land, and  
Hawaiian Affairs



**MALAMA SOLOMON**  
1st Senatorial District  
Co-Chair: Water, Land, and  
Hawaiian Affairs



**LEHUA FERNANDES SALLING**  
7th Senatorial District  
Co-Chair: Ways and Means



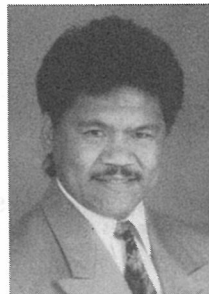
**CAROL FUKUNAGA**  
12th Senatorial District  
Co-Chair: Ways and Means



**PAUL T. KAWAGUCHI**  
Clerk



**CAROL T. TANIGUCHI**  
Assistant Clerk



**BIENVENIDO C. VILLAFLORES**  
Sergeant at Arms



**ABRAHAM PACHECO**  
Assistant Sergeant at Arms

\*The Governor appointed Wayne Metcalf to the Second Senatorial District on February 1, 1997, to fill the vacancy created by the resignation of Richard M. Matsuura from the State Senate.

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Note: In accordance with Article III, Section 10, of the Constitution of the State of Hawaii, the mandatory (five days) recess was held on February 20, 21, 24, 25 and 26, 1997; other recesses were held on January 27, March 3, 5, April 7, 9, 28 and 30 1997.

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THE  
NINETEENTH LEGISLATURE  
STATE OF HAWAII  
REGULAR SESSION OF 1997  
JOURNAL OF THE SENATE

FIRST DAY

**Wednesday, January 15, 1997**

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, was called to order at 10:03 o'clock a.m., by the Honorable Malama Solomon, Temporary Chairman of the Senate.

At this time, the members of the Senate and guests rose to sing the National Anthem and "Hawaii Pono" led by Ms. Nalani Choy, Ms. Lehua Kalima and Ms. Angela Morales of "Na Leo Pilimehana."

The Divine Blessing was then invoked by the Reverend Chris Eng of the Waipahu United Church of Christ, who was escorted to the rostrum by Senators Kawamoto, Sakamoto and Aki.

Nominations now being in order for a temporary clerk, Senator Fernandes Salling nominated Paul T. Kawaguchi, seconded by Senator Iwase.

Senator Chumbley moved that the nominations be closed, seconded by Senator Bunda and carried.

The Chair declared Paul T. Kawaguchi as Temporary Clerk of the Senate.

Senator Baker then moved that a committee of three Senators be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator Taniguchi and carried.

The Chair thereupon appointed Senators Matsunaga, Chumbley and Anderson to serve on such committee.

At 10:12 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:16 o'clock a.m.

**SPECIAL COMMITTEE REPORT**

Senator Matsunaga, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) as follows:

"The Honorable Malama Solomon  
Temporary Chairman of the Senate  
The Nineteenth State Legislature  
State Capitol  
Honolulu, Hawaii 96813

Dear Chairman Solomon:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 7, 2000 are:

Second Senatorial District

Richard M. Matsuura

Third Senatorial District

Andrew Levin

Fifth Senatorial District

Joe Tanaka

Eighth Senatorial District

Sam Slom

Ninth Senatorial District

Matthew Matsunaga

Eleventh Senatorial District

Brian Taniguchi

Twelfth Senatorial District

Carol Fukunaga

Fourteenth Senatorial District

Suzanne Chun Oakland

Fifteenth Senatorial District

Norman Mizuguchi

Sixteenth Senatorial District

Norman Sakamoto

Twentieth Senatorial District

Brian Kanno

Twenty-Fourth Senatorial District

Marshall Ige

Twenty-Fifth Senatorial District

Whitney Anderson

Respectfully submitted,

/s/ Matt Matsunaga  
/s/ Avery B. Chumbley  
/s/ Whitney Anderson"

Senator Baker moved that Special Committee Report No. 1 be adopted, seconded by Senator Taniguchi and carried.

The Committee on Credentials was thereupon discharged with thanks.

The Chair, at this time, appointed Senators D. Ige, Tam and Fernandes Salling to escort Chief Justice Ronald T.Y. Moon of the Hawaii State Supreme Court to the rostrum to administer the oath of office to the newly elected members of the Senate.

The Senators escorted Chief Justice Moon to the rostrum and were thereupon discharged with thanks.

Chief Justice Moon administered the oath of office to the newly elected members of the Senate who were standing at their respective desks.

The Roll was then called by the Temporary Clerk showing all Senators present.

Nominations for officers of the Senate being next in order, Senator Ihara placed in nomination the name of Senator Norman Mizuguchi for President of the Senate, seconded by Senator McCartney.

Senator Fukunaga moved that the nominations be closed, seconded by Senator Chun Oakland. The motion to close the nominations was put by the Chair and carried unanimously.

By acclamation of the Senate, Senator Norman Mizuguchi was declared unanimously elected President of the Senate and the Temporary Clerk was directed to cast a unanimous ballot for Senator Mizuguchi as President of the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997.

The Chair then appointed Senators Baker, Ihara, Fernandes Salling and Anderson to escort the President to the rostrum and the President addressed the members of the Senate and guests as follows:

"I want to take this opportunity to thank my Senate partners for your vote of confidence and for the privilege of allowing me to serve as your Senate President during the Nineteenth State Legislature.

"Governor Cayetano, Lieutenant Governor Hirono, Chief Justice Moon, U.S. Senator and Mrs. Akaka, Congressman Abercrombie, Congresswoman Mink, Mayor Harris, Mayor Kusaka, Governor and Mrs. Ariyoshi, The Honorable Toshihiro Hiyama and members of the Hiroshima Prefectural Assembly, other honored guests from here and abroad, youth members of the YMCA Youth Legislature, members of the Senate, people of Hawaii:

"Warmest aloha and welcome to your house, the Senate Chambers.

"In recent years, Hawaii has ridden the roller coaster of economic fortune and frustration. We approach this session with the possibility of a faint recovery, but the financial outlook is no more certain than it was a year ago. With a continuing budget crisis and major issues to be resolved, we are at a crossroads.

"Yet, Hawaii has been at crucial crossroads before, and it has always responded. It did so in 1950, when the first State Constitution was written, proving Hawaii's political maturity and spirit. It did so again in 1959 when the Legislature, through laws swiftly drafted and passed in response to statehood, transformed a weak and dependent territorial government into a strong and sovereign state. At the current crossroads, we must again look to ourselves and proceed boldly to make the tough and right decisions for Hawaii's future.

"We have gained strength in the good times, overcome adversity in the bad, profiting from both. The lesson we have learned is that there is strength in cooperation. Working together, we can overcome all obstacles, yet sustain Hawaii as a very special place, our island home, where impossible dreams are possible.

"Consider a pair of examples: Dave Shoji of the nationally acclaimed Rainbow Wahine volleyball team; and Alana Dung, the darling of our island heart. The collaboration between Dave and the Rainbow Wahine began 22 seasons ago. Beginning with the talent available in the islands, he patiently developed the women's volleyball program. As he persevered, he created winning teams by recruiting talent from the mainland and elsewhere, melding the best of Hawaii and the rest of the world. After producing four national champions and dozens of All-Americans, Dave Shoji has once again achieved national greatness with his 1996 Rainbow Wahine team winning its way to the Final Four, finishing second in the country, breaking all national attendance records, and inspiring the entire state -- truly Hawaii's team.

"Alana is the youthful embodiment of all that is good about the people of Hawaii. Nowhere else could a small cry for help prompt so spontaneous and genuine a response from society.

"Taken together, Dave and Alana exemplify an island ethic that guides us surely onward. It is in this spirit that this Senate was organized and will conduct its work this session.

"Elections provide a periodic yardstick by which to measure our performance. Last year the judgment of the voters was clear. They were impatient with lengthy deliberations. They wanted action.

"As a result, we reorganized the Senate to improve its performance and open doors anew to frustrated constituents. The new co-chair system, along with other reforms, will spread the workload, increase accessibility, and share power. I fully expect it to yield a better outcome.

"The first test of the Senate's resolve will be the success with which we address prominent unfinished business from prior years.

"First, automobile insurance -- a costly, contentious pocketbook issue, it has been before the Legislature in one form or another for years. Two years ago, the Legislature passed a reform bill, but it was vetoed by the Governor. Last session the House and Senate produced conflicting solutions and were not able to reach an agreement. This year we will begin with the lessons learned the last two years and exert the political will to reach an agreement. Actuaries have informed us that a goal of a 25 to 30 percent rate reduction is attainable. Any solution must be fair to consumers. As a key part of that solution, we must crack down on irresponsible, uninsured drivers.

"Second, legislative retirement benefits. Known notoriously as the 'high three,' the system rewards tenured lawmakers who are able to parlay their political skills into appointment to high-paying government jobs and generous retirement benefits. It has caused voter cynicism and demand for change. This session we will reform the system.

"Third, same-sex marriage. This issue generated a divisive debate that monopolized the Legislature's time and attention and detracted from other issues. While we do not have a clear answer that can satisfy both sides of the issue, we are better prepared to address it during this session. In any event, we will not allow this one issue to paralyze another legislative session.

"Fourth, crime. This old issue demands new, even perennial attention. In all the polls during the last election, crime was the number one concern among Hawaii's citizens. According to the Honolulu Police Department, burglars and thieves struck one in every 14 residences in 1995, taking \$73.2 million in

property. They break into homes, schools, banks, theatres, restaurants, and all types of retail stores. The problem is that there are no consequences for property crime because of lack of prison bed space. Offenders who begin their careers in crime as juveniles know this, and as a result our criminals are younger. As they mature into adulthood, they are more callous and violent.

"We must take back the responsibility for our young people. The property crime rate in Hawaii, including the graffiti problem, has been skewed by juveniles who do not continue their education and have no jobs. We have juveniles on drugs and peddling drugs. We must be tough on juveniles who commit such crimes so that they understand that there will be consequences, even adult consequences, for their acts.

"Crime against tourists also must be addressed or our vital visitor industry will suffer. Prostitution in Waikiki, assaults in hotels, purse snatchings, golf course holdups, and the like must be eliminated.

"In the entire area of crime, we will give special attention and work with the executive branch and the counties to find some solutions.

"The second test of the Senate's resolve will be the decisions we make to control and prepare for Hawaii's future.

"With an economy that remains stubbornly unresponsive and an equally sluggish revenue growth, we must accept the idea that government has grown as large as it currently needs to.

"I firmly believe government's role is to provide essential services, such as education, public health, social services, and public safety. I also believe that the public deserves to have these services provided efficiently and without disruption. This requires high morale among public employees, a system which treats them fairly and procedures which facilitate labor and management agreements. However, protracted events have brought the University of Hawaii faculty and the public school teachers to the brink of striking and have forced them to work without new contracts for over 18 months. This should not be. We intend to find a better way to bring about fair and more timely settlements for our educators and others in the public sector.

"In our efforts to downsize government and stimulate the economy, there may be opportunities to sell such large public enterprises as the airport system and the convention center. To find out, we will ask the Legislative Reference Bureau to study whether such new arrangements would be possible, financially favorable to the state, and in the public interest. This would be part of our continuing review of which tasks are better suited to government and which should be left to the private sector.

"Business in Hawaii has changed substantially since statehood -- from a plantation economy controlled by big corporations to a service economy where 95 percent of the businesses are small businesses.

"We will review government regulations and reduce tax burdens on small business. Toward this objective, I propose we end the pyramiding of the general excise tax on leases. I believe that ending pyramiding on leases, on an incremental basis, will place more money in the hands of sublessees. That money will be spent for improvements and employee salaries, offsetting the loss in state revenues.

"We must also determine how we can assist businesses to do business. This session, we must also, most critically, address the problem of economic stagnation and identify all opportunities to energize our economy.

"The third test of the Senate's resolve will be how we address the special circumstances of today's descendants of Hawaii's original people. Plainly, they have waited long

enough for recognition in their own land. As we approach the year 2000, we must remember our continuing obligation and let the native Hawaiians determine their own future. We should defer the constitutional convention approved by the voters until the native Hawaiian community can work its way through the various aspects of sovereignty. We must be mindful that the 1996 election results for the convention is under court scrutiny -- we really cannot act until we receive court advice. Let us all step back and give the process a chance to work.

"As we draw closer to the dawn of the 21st century, it will be our task to insist that we have found a better way, that we are proof of the proposition that mankind can live in harmony and prosper, not at the expense of one group or another, but to the benefit of all. Armed with a new spirit of responsibility and collaboration, and the commitment and determination to produce results, I am confident that the Senate is ready to tackle the people's business. The best is yet to come for Hawaii.

"Thank you very much."

The President, at this time, introduced to the members of the Senate and their guests Dave Shoji, Head Coach of the Rainbow Wahine Volleyball Team; Adelia and Stephen Dung and Norah and Tai Yau Chung, parents and grandparents of Alana Dung; and the Honorable Toshihiro Hiyama, chairman of the Hiroshima Prefectural Assembly.

Senator Anderson, Minority Leader of the Senate, then responded as follows:

"Governor Cayetano, Lieutenant Governor Hirono, distinguished guests, colleagues, people of Hawaii, my friends -- Aloha!

"Mr. President, it is a proud day for me to be here today to be able, hopefully, to help in guiding us into the year 2000.

"We must all keep our promises to the taxpayers with regards to the priorities that we set forth in our campaigns, such as automobile insurance reform, high three, and same-sex marriages. I know that we are honor bound to try to get these measures passed at the beginning of the session.

"However, what has to be the most pressing crisis on our agenda, Mr. President, is the economy! The administration says it wants to 'jump start' the economy with the infusion of \$1 billion of borrowed 'state' money -- as if 'state' money was minted here in this capitol. But the debt from that borrowed money imposes a great burden on the future of our children and grandchildren.

"Yes, we need to build some new schools, parks, and spend money on repair and maintenance. But, Mr. President, what happens to construction and our economy when those jobs run out? What will happen to all of the projects that you and I and the legislature have already approved and those funds that have not been released by the governor? And those projects that are planned and half-designed or which are ready for construction which will provide jobs now -- What will happen to those projects? Will the administration's new, over-zealous plans interfere with the present and future bond ratings? What will be the debt service be to our state's future for such an enormous loan? Quite simply I ask, Mr. President, what will the repercussions to our future economy be should the administration's plan be implemented and then fail?

"But enough of the negative. Let's look at the positive side, Mr. President. This just may be the most historic legislative session of our time. I say this because it is not the time to blame each other for the problems that we are facing or to fight on partisan goals. Mr. President, we are all facing a war for economic survival. And this war is going to require that all of us put our differences aside, public and private, big business and small business, labor and management, and yes, even county and state governments.

"We will, Mr. President, be putting in bills that I hope will stimulate our economy by utilizing presently owned state lands. Therefore, we neither have to condemn nor do we have to purchase new lands for these new projects.

"For example:

- (1) Where the state has long leases and those terms may have a balance of, say, twenty years left on that lease, the state should entertain an offer to purchase that land so that the owner would be able to construct new buildings or expand their businesses in other ways that they see fit and banks would have an easier way to work their loans.
- (2) Where there are new leases to be made on state lands, the state could offer long-term leases with zero rent for five years and this would provide a company the opportunity to develop said lands, say for the Windward side we could look at an industrial park. This action would result in more construction and providing jobs for a particular company. The state would benefit from gross income tax, not only from that business, but also from the employees, plus property tax for the counties.
- (3) We could also consider a seven-year property rent and general excise tax exemption for new businesses: (a) The first step needed is to clearly define new business; (b) The state would allow for the first year a zero percent exemption; the second year, maybe 15 percent; the third year, 30 percent; the fourth year 45 percent, and so on.
- (4) Maybe we could even consider infrastructure grants. This would be another way to help business. But the loan program, if there is not one already in place, would have to be worked out with DBEDT, banks, etc.

"We must, Mr. President, also change our thinking on rules and regulations. They have the force of law. While attempts were made last year to rid us of this burden, it has been said by the administration that there is no need for any reform in this area because it is very easy for the taxpayers and businesses to repeal any of the state's rules and regulations that they might need. That's not true, Mr. President. If our books on rules and regs were laid side by side, they would probably go from here to China! Whenever you, I, or our colleagues want to pass a piece of legislation that we believe is good for the community, or a business, we discover a rule or a regulation that gets in the way. These rules are not of our making, yet we are the ones that are elected by the people, not the bureaucrats who stand in our way. I am not saying that we do not need rules and regulations, Mr. President, but what I am saying is they should not have the force of law!

"There are many other things that have to be addressed during this legislative session, Mr. President -- workers compensation, welfare reform, tourism, crime, sports promotion and construction, and education, to name just a few. But I, as the Minority Leader, with the support of Senator Slom, have laid out but a few things that can and should be done to start to move this state forward.

"I also believe, Mr. President, that we must be held accountable and responsible for keeping the counties afloat. We need the state and the counties to work together to move forward -- not just to have the state take all of the T.A.T. tax, for instance, and leave the counties with less revenue than they now have. It's a constant battle between the counties and the state. We take everything and say we're solvent. They then say they are going to have to raise taxes because we have left them insufficient avenues for funding. That battle needs to stop today.

"If the Council of Revenues feels that we should cut a percentage of the general excise tax, and we are planning on taking away another portion of the T.A.T. or all of it, then that percentage of the G.E.T. should go to the counties whereby they would have another base of income rather than just property tax. But they too, Mr. President, should do more with their land and streamline building codes so that they don't hold up permits and construction. After all, we are all the beneficiaries of a home rule.

"Mr. President, I could go on and on as I'm sure most of my colleagues here today could do also. Our constituents, I think, want to again trust the people that they elect. They entrust us with promoting a decent job market by supporting business. They expect us to spend their money wisely. They want the best education for their children. And they want and demand that we pass bills to keep criminals behind bars who cause harm to our communities.

"The people have been disappointed in us year after year! The time is now, to put their priorities first. That change can only come about if we all work together, Mr. President, even though some may laugh that we only have two Minority Caucus members. But believe me, we are ready and willing to work. We will speak out loud and clear on legislation that is good. And believe me, we'll speak out even louder on bills that are not good for our community.

"Mr. President, let us prove that Hawaii is a special place and we will do our living best to keep it that way.

"My family, Mr. President, and I wish you and all here today a very happy and prosperous new year. Mahalo."

At 10:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair. At this time, the members of the Senate and their guests were entertained by Frank Hewitt and BB Shawn.

The Senate reconvened at 11:32 o'clock a.m.

The President thanked Frank Hewitt and BB Shawn for providing the entertainment during the recess.

The President then announced that nominations were in order for the office of Vice President of the Senate.

Senator Matsunaga placed in nomination the name of Senator Andrew Levin for Vice President of the Senate, seconded by Senator Kanno.

The motion was then put by the Chair and carried and the Temporary Clerk was directed to cast a unanimous ballot for Senator Levin as Vice President of the Senate.

The ballot having been so cast, Senator Andrew Levin was declared unanimously elected as Vice President of the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 1 and 2) were read by the Temporary Clerk and were disposed of as follows:

S.R. No. 1, providing for the election of Paul T. Kawaguchi for Clerk of the Senate, Carol T. Taniguchi for Assistant Clerk of the Senate, Bienvenido C. Villafior for Sergeant-at-Arms of the Senate, and Abraham Pacheco for Assistant Sergeant-at-Arms of the Senate, Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, was offered by Senators Ihara, McCartney and Anderson.

On motion by Senator Tanaka, seconded by Senator M. Ige and carried, S.R. No. 1 was adopted.

The President thereupon administered the oath of office to the newly elected Clerk, Assistant Clerk, Sergeant-at-Arms and Assistant Sergeant-at-Arms of the Senate.

S.R. No. 2, entitled: "SENATE RESOLUTION RELATING TO THE ADOPTION OF THE RULES OF THE SENATE," was offered by Senators McCartney, Ihara and Anderson.

On motion by Senator McCartney, seconded by Senator Anderson and carried, S.R. No. 2, was adopted.

#### SENATE CONCURRENT RESOLUTION

The following resolution (S.C.R. No. 1) was read by the Clerk and was disposed of as follows:

S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE HAWAII SUPREME COURT TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION FOR THE STATE OF THE JUDICIARY ADDRESS," was offered by Senators McCartney, Ihara and Anderson.

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, S.C.R. No. 1 was adopted.

At 11:31 o'clock a.m., the Senate stood in recess subject to the call of the Chair. The members of the Senate and their guests were then entertained by Pauline Wilson and the "Society of Seven."

The Senate reconvened at 12:30 o'clock p.m.

The President thanked Ms. Wilson and the gentlemen of the "Society of Seven" for their performances during the recess.

At this time, the President introduced Violet Nakamura, a long-time friend of Senator Richard Matsuura and the Matsuura family, and invited her to sing a special song, "God Bless America," dedicated to Senator Richard Matsuura from his family and colleagues.

Senator Solomon then rose on a point of information as follows:

"Thank you, Mr. President. Just on a point of information, Mr. President, I think this song was very appropriate because this is the song that you yourself sang over the radio stations on your reelection campaign for the Senate. And it was so funny ... I'm driving along and I hear this voice singing and I said 'Is that Dick Matsuura?' (Laughter.)

"Mr. President, on a very serious note, on behalf of all the Senators, I would like to extend our heartfelt support to the 'ohana' of Senator Matsuura and wish them all the best of love and aloha and luck in their endeavors, and to reassure them that they will be in our thoughts and in our prayers. Thank you, Mr. President. Aloha."

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 12:36 o'clock p.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 1 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Ihara, McCartney.

No. 2 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Senator Mizuguchi.

No. 3 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HIGH SCHOOL ATHLETICS."

Introduced by: Senators Iwase, Ige, M., Ihara, Levin, Matsunaga, McCartney, Sakamoto, Tanaka, Taniguchi.

No. 4 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Iwase.

No. 5 "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE."

Introduced by: Senators Iwase, Chun Oakland.

No. 6 "A BILL FOR AN ACT RELATING TO WELFARE REFORM."

Introduced by: Senator Iwase.

No. 7 "A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE."

Introduced by: Senator Iwase.

No. 8 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Iwase.

No. 9 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR AUGUST AHRENS ELEMENTARY SCHOOL."

Introduced by: Senators Kawamoto, Iwase, Kanno.

No. 10 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A RETAINING WALL ABOVE WAIPAHU HIGH SCHOOL'S ATHLETIC FIELD."

Introduced by: Senators Kawamoto, Iwase, Kanno.

No. 11 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AUGUST AHRENS ELEMENTARY SCHOOL."

Introduced by: Senators Kawamoto, Iwase, Kanno.

No. 12 "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYMENT SECURITY LAW."

Introduced by: Senator Kawamoto.

No. 13 "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW."

Introduced by: Senator Kawamoto.

No. 14 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES."

Introduced by: Senators Kawamoto, Sakamoto.



No. 15 "A BILL FOR AN ACT RELATING TO REFUSE HAULERS."

Introduced by: Senator Kawamoto.

No. 16 "A BILL FOR AN ACT RELATING TO FERRY TRANSIT."

Introduced by: Senator Kawamoto.

No. 17 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kawamoto, Iwase, Tanaka, Taniguchi.

No. 18 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A PASSIVE PARK AND TO INCREASE PARKING NEAR THE PEARL CITY LIBRARY."

Introduced by: Senators Kawamoto, Ige, D.

No. 19 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEHUA ELEMENTARY SCHOOL."

Introduced by: Senators Kawamoto, Ige, D.

No. 20 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NOISE ABATEMENT AT PEARL CITY ELEMENTARY SCHOOL."

Introduced by: Senators Kawamoto, Ige, D., Iwase.

No. 21 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE AIR CONDITIONERS FOR PEARL CITY ELEMENTARY SCHOOL."

Introduced by: Senators Kawamoto, Ige, D., Iwase.

No. 22 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Senators Kawamoto, Baker, Ige, D.

No. 23 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Kawamoto, Aki, Tam.

No. 24 "A BILL FOR AN ACT RELATING TO THE SCHOOL-TO-WORK TRANSITION PROGRAM."

Introduced by: Senators Kawamoto, Aki, Tam.

No. 25 "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION."

Introduced by: Senators Kawamoto, Aki, Tam.

No. 26 "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR."

Introduced by: Senators Kawamoto, Aki, Kanno, Tam.

No. 27 "A BILL FOR AN ACT RELATING TO PROJECT GRADUATION."

Introduced by: Senators Kawamoto, Aki, Iwase, Tam.

No. 28 "A BILL FOR AN ACT RELATING TO SCHOOL ATHLETIC COACHES."

Introduced by: Senators Kawamoto, Aki, Tam, Tanaka, Taniguchi.

No. 29 "A BILL FOR AN ACT RELATING TO TRUTH-IN-SENTENCING."

Introduced by: Senators Kawamoto, Anderson, Bunda, Chumbley, Levin, Matsunaga, Sakamoto.

No. 30 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Ihara.

No. 31 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE PREMIUM DISCOUNTS FOR SUBSTANCE TESTING PROGRAMS ESTABLISHED UNDER TITLE 49, CODE OF FEDERAL REGULATIONS, PART 382."

Introduced by: Senators Kanno, Chun Oakland.

No. 32 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland, McCartney.

No. 33 "A BILL FOR AN ACT RELATING TO LITTER."

Introduced by: Senator Kanno.

No. 34 "A BILL FOR AN ACT RELATING TO WAGES OF EMPLOYEES ON PUBLIC WORKS."

Introduced by: Senators Chun Oakland, Kanno.

No. 35 "A BILL FOR AN ACT RELATING TO LANDLORDS."

Introduced by: Senator Chun Oakland.

No. 36 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO AMEND THE DUE PROCESS AND EQUAL PROTECTION CLAUSE."

Introduced by: Senator Bunda.

No. 37 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES."

Introduced by: Senator Bunda.

No. 38 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Senator Bunda.

No. 39 "A BILL FOR AN ACT RELATING TO DENTAL CARE."

Introduced by: Senator Bunda.

No. 40 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda.

No. 41 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Bunda.

No. 42 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A CIVIC CENTER/JUDICIARY COMPLEX, WAHIAWA, OAHU."

Introduced by: Senator Bunda.

No. 43 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda.

No. 44 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Iwase.

No. 45 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senators Chun Oakland, Kawamoto.

No. 46 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII OF THE HAWAII CONSTITUTION, TO REQUIRE THE USE OF EXCESS GENERAL FUND REVENUES FOR PUBLIC EDUCATIONAL CURRICULUM PROGRAMS."

Introduced by: Senators Tam, Aki, Ige, D.

No. 47 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Tam, Aki.

No. 48 "A BILL FOR AN ACT RELATING TO INSURANCE CONTRACTS."

Introduced by: Senators Tam, Aki.

No. 49 "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS."

Introduced by: Senators Tam, Aki.

No. 50 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Tam, Ige, D., Iwase, Tanaka.

No. 51 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CULTURAL INFORMATION CENTER IN KAPIOLANI PARK."

Introduced by: Senators Tam, Aki.

No. 52 "A BILL FOR AN ACT RELATING TO AN ELECTED INSURANCE COMMISSIONER."

Introduced by: Senators Tam, Aki, Ige, D.

No. 53 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES III AND V OF THE HAWAII CONSTITUTION TO PROVIDE FOR AN ELECTIVE OFFICE OF INSURANCE COMMISSIONER."

Introduced by: Senators Tam, Aki, Ige, D.

No. 54 "A BILL FOR AN ACT RELATING TO EXECUTIVE APPOINTMENTS."

Introduced by: Senators Tam, Aki, Ige, D.

No. 55 "A BILL FOR AN ACT RELATING TO CONTRACTS."

Introduced by: Senators Tam, Aki.

No. 56 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Tam, Chun Oakland.

No. 57 "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING."

Introduced by: Senators Tam, Aki, Ige, D.

No. 58 "A BILL FOR AN ACT RELATING TO KINDERGARTENS."

Introduced by: Senators Tam, Aki, Ige, D.

No. 59 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Tam, Bunda, Iwase, Kawamoto, Tanaka.

No. 60 "A BILL FOR AN ACT RELATING TO BILINGUAL/BICULTURAL SCHOOL-HOME ASSISTANTS."

Introduced by: Senators Tam, Aki.

No. 61 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS."

Introduced by: Senators Tam, Aki, Ige, D.

No. 62 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senators Tam, Bunda, Ige, M.

No. 63 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REVIEW, EVALUATE, AND IMPROVE STATE ENVIRONMENTAL LAWS."

Introduced by: Senators Tam, Chun Oakland, Levin.

No. 64 "A BILL FOR AN ACT RELATING TO TITLE INSURANCE AND TITLE INSURERS."

Introduced by: Senators Tam, Aki, Ige, D.

No. 65 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REGISTRAR POSITIONS AT INTERMEDIATE SCHOOLS."

Introduced by: Senators Tam, Aki.

No. 66 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL COUNSELORS IN THE PUBLIC SCHOOLS."

Introduced by: Senators Tam, Aki.

No. 67 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senators Tam, Bunda, Kawamoto.

No. 68 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Tam, Aki, Ige, D.

No. 69 "A BILL FOR AN ACT RELATING TO AN AUDIT AND MANAGEMENT CONTROL OF HAWAII STATE GOVERNMENT FUNDS."

Introduced by: Senators Tam, Bunda, Ige, M.

No. 70 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR STUDENT LOCKERS AT CENTRAL INTERMEDIATE SCHOOL."

Introduced by: Senators Tam, Aki.

No. 71 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LIBRARY ASSISTANT POSITIONS IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Tam, Aki.

No. 72 "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."

Introduced by: Senators Tam, Aki, Ige, D.

No. 73 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Tam, Chun Oakland.

No. 74 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Tam, Chun Oakland, Kanno.

No. 75 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Tam, Bunda.

No. 76 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 8, OF THE HAWAII CONSTITUTION RELATING TO THE APPOINTMENT OF LEGISLATORS TO POSITIONS IN THE EXECUTIVE OR JUDICIAL BRANCH."

Introduced by: Senators Tam, Bunda.

No. 77 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Tam, Bunda, Chumbley, Sakamoto.

No. 78 "A BILL FOR AN ACT RELATING TO SHOPLIFTING."

Introduced by: Senators Tam, Bunda.

No. 79 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Tam, Bunda.

No. 80 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Tam, Chun Oakland, Sakamoto.

No. 81 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Senators Tam, Bunda, Chumbley, Sakamoto.

No. 82 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Tam, Aki, Kawamoto.

No. 83 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES."

Introduced by: Senator Tam.

No. 84 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III, SECTION 5, OF THE HAWAII CONSTITUTION RELATING TO VACANCIES IN THE LEGISLATURE."

Introduced by: Senator Tam.

No. 85 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senators Tam, Chun Oakland, Kanno, Sakamoto.

No. 86 "A BILL FOR AN ACT RELATING TO MARINE RULES AND STANDARDS."

Introduced by: Senators Tam, Aki, Kawamoto.

No. 87 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Senators Tam, Aki, Kawamoto, Sakamoto.

No. 88 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Tam.

No. 89 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO REQUIRE SIX DAYS' NOTICE PRIOR TO LEGISLATIVE HEARINGS."

Introduced by: Senators Tam, Bunda.

No. 90 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 5, OF THE HAWAII CONSTITUTION TO LIMIT EXECUTIVE MODIFICATION OF THE BUDGET."

Introduced by: Senators Tam, Bunda.

No. 91 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUBSIDIZE BUS PASSES FOR STATE EMPLOYEES."

Introduced by: Senators Tam, Aki, Kawamoto, Sakamoto.

No. 92 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Iwase.

No. 93 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Iwase.

No. 94 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE VERBAL THRESHOLD."

Introduced by: Senator Iwase.

No. 95 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Iwase.

No. 96 "A BILL FOR AN ACT RELATING TO THE REPEAL OF CHAPTER 431:10C, HAWAII REVISED STATUTES."

Introduced by: Senator Iwase.

No. 97 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO AMEND THE DUE PROCESS AND EQUAL PROTECTION CLAUSE RELATING TO SAME SEX MARRIAGES."

Introduced by: Senators Iwase, Tanaka, Kawamoto, Aki, Sakamoto, Tam, Ige, M., Anderson, Bunda, Solomon.

No. 98 "A BILL FOR AN ACT RELATING TO ECONOMIC BENEFITS."

Introduced by: Senators Iwase, Tanaka, Kawamoto, Aki, Sakamoto, Tam, Ige, M., Anderson, Bunda, Solomon.

No. 99 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Iwase, Tanaka, Kawamoto, Aki, Sakamoto, Tam, Ige, M., Anderson, Bunda, Solomon.

No. 100 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Tam.

No. 101 "A BILL FOR AN ACT RELATING TO CAPITAL PUNISHMENT."

Introduced by: Senator Anderson.

No. 102 "A BILL FOR AN ACT RELATING TO YOUTH GANGS."

Introduced by: Senators Anderson, Kawamoto.

No. 103 "A BILL FOR AN ACT RELATING TO TOWING COMPANIES."

Introduced by: Senator Anderson.

No. 104 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senator Anderson.

No. 105 "A BILL FOR AN ACT RELATING TO A COMMISSION ON ENDANGERED PLANTS AND ANIMALS."

Introduced by: Senator Levin.

No. 106 "A BILL FOR AN ACT RELATING TO THE TESTING OF NEWBORN CHILDREN FOR THE HUMAN IMMUNODEFICIENCY VIRUS."

Introduced by: Senator Levin, by request.

No. 107 "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT."

Introduced by: Senator Levin.

No. 108 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senator Levin.

No. 109 "A BILL FOR AN ACT RELATING TO THE CONVERSION OF POSITIONS IN THE DEPARTMENT OF HEALTH FROM TEMPORARY STATUS TO PERMANENT STATUS."

Introduced by: Senator Levin.

No. 110 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Levin.

No. 111 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Levin.

No. 112 "A BILL FOR AN ACT RELATING TO GENETIC TESTING."

Introduced by: Senator Levin.

No. 113 "A BILL FOR AN ACT RELATING TO FREE NO-FAULT MOTOR VEHICLE INSURANCE."

Introduced by: Senator Levin.

No. 114 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senator Levin.

No. 115 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Levin.

No. 116 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Levin.

No. 117 "A BILL FOR AN ACT RELATING TO TRUSTEES' COMPENSATION."

Introduced by: Senator Levin.

No. 118 "A BILL FOR AN ACT RELATING TO VOLUNTEERS."

Introduced by: Senator Levin.

No. 119 "A BILL FOR AN ACT RELATING TO PARIMUTUEL WAGERING AND HORSERACING."

Introduced by: Senators Solomon, Tanaka.

No. 120 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senator Ihara.

No. 121 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FOURTH ANNUAL ROYAL HAWAIIAN ROWING CHALLENGE."

Introduced by: Senator Ihara.

No. 122 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Bunda, McCartney, Tanaka.

No. 123 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO DEVELOP A PRECAUTIONARY CRIME VIDEO FOR INTERSTATE AND INTERNATIONAL FLIGHTS TO HAWAII."

Introduced by: Senator Bunda.

No. 124 "A BILL FOR AN ACT RELATING TO THE COUNTIES."

Introduced by: Senator Bunda.

No. 125 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Bunda.

No. 126 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPLACEMENT OF TERMITE-DAMAGED FURNITURE AND SHELVING AT THE WAHIAWA PUBLIC LIBRARY."

Introduced by: Senator Bunda.

No. 127 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators Kawamoto, Anderson, Bunda, Chumbley, Iwase, Matsunaga.

No. 128 "A BILL FOR AN ACT RELATING TO RECORDATION OF INSTRUMENTS."

Introduced by: Senators Kawamoto, Baker, Iwase, Matsunaga, Sakamoto, Tanaka.

No. 129 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kawamoto, Kanno.

No. 130 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 131 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Tam, Baker, Chun Oakland.

No. 132 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chun Oakland, Kanno.

No. 133 "A BILL FOR AN ACT RELATING TO PAYMENTS FOR QUEST SERVICES."

Introduced by: Senators Chun Oakland, Levin, Kanno.

No. 134 "A BILL FOR AN ACT RELATING TO COMPULSORY EDUCATION."

Introduced by: Senators Chun Oakland, Aki.

No. 135 "A BILL FOR AN ACT RELATING TO OPTOMETRY."

Introduced by: Senators Baker, Ige, D.

No. 136 "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS."

Introduced by: Senators Baker, Ige, D., Levin.

No. 137 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Baker, Ige, D., Levin.

No. 138 "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES."

Introduced by: Senators Baker, Ige, D., Levin.

No. 139 "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS."

Introduced by: Senators Baker, Chumbley, Matsunaga, Levin.

No. 140 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Senators Baker, Ige, D.

No. 141 "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS."

Introduced by: Senators Baker, Ige, D.

No. 142 "A BILL FOR AN ACT RELATING TO COMBAT."

Introduced by: Senators Baker, Ige, D.

No. 143 "A BILL FOR AN ACT RELATING TO TOBACCO USE."

Introduced by: Senators Baker, Chumbley, Matsunaga.

No. 144 "A BILL FOR AN ACT RELATING TO MASSAGE."

Introduced by: Senators Baker, Ige, D.

No. 145 "A BILL FOR AN ACT RELATING TO INSURANCE COMPANIES."

Introduced by: Senators Baker, Ige, D.

No. 146 "A BILL FOR AN ACT RELATING TO A TRANSIENT OCCUPANCY TAX."

Introduced by: Senators Baker, Ige, D., Chumbley.

No. 147 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Baker, Ige, D., Mizuguchi.

No. 148 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Senators Baker, Taniguchi.

No. 149 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senator Baker.

No. 150 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senator Baker.

No. 151 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION."

Introduced by: Senators Baker, Taniguchi, Tanaka.

No. 152 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senators Baker, Chumbley.

No. 153 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL ADMINISTRATION FOR KAU HIGH AND PAHALA ELEMENTARY SCHOOL."

Introduced by: Senator Levin.

No. 154 "A BILL FOR AN ACT RELATING TO ARCHAEOLOGY."

Introduced by: Senator Levin.

No. 155 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senator Levin.

No. 156 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Levin, by request.

No. 157 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Levin.

No. 158 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Levin, by request.

No. 159 "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS."

Introduced by: Senator Levin.

No. 160 "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS."

Introduced by: Senator Levin.

No. 161 "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES."

Introduced by: Senator Solomon.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 16, 1997.

## SECOND DAY

**Thursday, January 16, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the First Day.

At this time, the following introductions were made to the members of the Senate:

Senator Ihara introduced Corinna Eckl, the NCSL liaison to the Hawaii State Legislature.

Senator Sakamoto, with the assistance of Senator Kawamoto, then introduced NASA Astronaut Kent V. Rominger, his wife Mary Sue and daughter Kristin Nicole. Accompanying the Rominger Family was Loren C. Divers who was responsible for sponsoring Astronaut Rominger's visit to Hawaii.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 91) were read by the Clerk and were placed on file:

Gov. Msg. No. 1, dated November 18, 1996, transmitting the 1995-1996 Annual Report for the Department of Taxation, pursuant to Chapter 231, HRS.

Gov. Msg. No. 2, dated November 19, 1996, transmitting the "Status Report on the Water Pollution Control Revolving Fund," prepared by the Department of Health pursuant to Section 342D-54, HRS.

Gov. Msg. No. 3, dated November 20, 1996, transmitting the Annual Report on the University of Hawaii Housing Assistance Revolving Fund, prepared by the University of Hawaii pursuant to Section 304-8.96, HRS.

Gov. Msg. No. 4, dated November 20, 1996, transmitting the Annual Summary of the University of Hawaii Special, Revolving and Trust Funds for the Fiscal Year Ended June 20, 1996, prepared by the University of Hawaii pursuant to Section 304-8, HRS.

Gov. Msg. No. 5, dated November 20, 1996, transmitting the "Report on Community Colleges Additional Instructional Fund," prepared by the University of Hawaii pursuant to Act 218, Section 76, SLH 1995.

Gov. Msg. No. 6, dated November 20, 1996, transmitting the "Annual Report of the Salaries Paid to All Executive, Managerial, and Faculty Members Including the President," prepared by the University of Hawaii pursuant to Section 304-13.5, HRS.

Gov. Msg. No. 7, dated November 25, 1996, transmitting the "Hawaii Public Broadcasting Authority 1995-1996 Annual Report," prepared by the Department of Commerce and Consumer Affairs, Hawaii Public Broadcasting Authority, pursuant to Section 314-12, HRS.

Gov. Msg. No. 8, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 118, SLH 1995, on capital improvements program staff costs.

Gov. Msg. No. 9, dated November 27, 1996, transmitting an annual report prepared by the Department of Education in response to Act 272, Section 25, SLH 1994, on educational assessment and accountability.

Gov. Msg. No. 10, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 237, HRS, on the elimination of educational officer positions.

Gov. Msg. No. 11, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 55, SLH 1995, on school minor repair and maintenance (EDN 400).

Gov. Msg. No. 12, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 284, SLH 1996, on the development of schools in Kapolei.

Gov. Msg. No. 13, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 47, SLH 1996, on the student conference committee.

Gov. Msg. No. 14, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 148, SLH 1995, on the mandatory expulsion policy for possession of a firearm.

Gov. Msg. No. 15, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 61, SLH 1995, on the opening of school facilities.

Gov. Msg. No. 16, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 123.1, SLH 1996, on bid specifications for construction of temporary facilities.

Gov. Msg. No. 17, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 59, SLH 1995, on the vice principal positions for Konawaena Intermediate, Honokaa Elementary, Kohala Elementary and High and King Kekaulike High Schools.

Gov. Msg. No. 18, dated November 27, 1996 transmitting a report prepared by the Department of Education in response to Act 218, Section 48, SLH 1995, on school-based budgeting (EDN 100) for textbooks and library books for 1996-1997.

Gov. Msg. No. 19, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 66.1, SLH 1996, on interagency working agreements on services provided to children under special education programs and through school-based health centers.

Gov. Msg. No. 20, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 62, SLH 1995, on school-by-school expenditures.

Gov. Msg. No. 21, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 175 (1996), on the revision of the school code.

Gov. Msg. No. 22, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 174 (1996), on the general education development degree examination.

Gov. Msg. No. 23, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 169 (1996), on the policy on grades (2.0) and participation in co-curricular activities.

Gov. Msg. No. 24, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 134, SLH 1994, on the Hawaii Young Scholars Program.

Gov. Msg. No. 25, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 218, Section 60, SLH 1995, on the principal position for Ewa Gentry Elementary School.

Gov. Msg. No. 26, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to Act 287, Section 64, SLH 1996, on transfer of funds from EDN 200, EDN 300, EDN 400 and EDN 500.

Gov. Msg. No. 27, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to S.C.R. No. 261 (1996), on the school inspection program.

Gov. Msg. No. 28, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to H.C.R. No. 74 (1996), on the school bus safety program on Kauai.

Gov. Msg. No. 29, dated November 27, 1996, transmitting the "Teacher Education Coordinating Committee Annual Report," prepared by the Department of Education pursuant to Section 304-20, HRS.

Gov. Msg. No. 30, dated November 27, 1996, transmitting the Hawaii Teacher Standards Board Report prepared by the Department of Education pursuant to Act 240, SLH 1995.

Gov. Msg. No. 31, dated November 27, 1996, transmitting a report prepared by the Department of Education in response to H.C.R. No. 24 (1996), on community-based youth programs.

Gov. Msg. No. 32, dated November 29, 1996, transmitting the 1996 Annual Report prepared by the Civil Rights Commission pursuant to Sections 368-3 and 515-9, HRS.

Gov. Msg. No. 33, dated December 1, 1996, transmitting the Fiscal Year 1996 Special Fund Collections and Disbursements Reports prepared by the Department of Education, Hawaii State Public Library System, pursuant to Act 129, SLH 1989 and Act 327, SLH 1993.

Gov. Msg. No. 34, dated December 2, 1996, transmitting the "Annual Report of Stadium Special Fund Statement of Receipts, Expenditures and Transfers for the Fiscal Year Ended June 30, 1996," prepared by the Department of Accounting and General Services pursuant to Section 109-3, HRS.

Gov. Msg. No. 35, dated December 2, 1996, transmitting an annual status report prepared by the Department of Public Safety and the Office of Youth Services pursuant to Act 151, SLH 1991 as amended by Act 112, Section 4, SLH 1995.

Gov. Msg. No. 36, dated December 2, 1996, transmitting a detailed expenditure and status report prepared by the Department of Public Safety pursuant to Act 287, Section 77.1, SLH 1996, on the comprehensive review of the security staffing needs at the Oahu Community Correctional Center.

Gov. Msg. No. 37, dated December 2, 1996, transmitting a detailed expenditure and status report prepared by the Department of Public Safety pursuant to Act 170, Section 3, SLH 1995, on 30 temporary positions for Hawaii's Correctional Industries program for fiscal year 1996-1997.

Gov. Msg. No. 38, dated December 2, 1996, transmitting the Department of Public Safety's Annual Report, July 1, 1995 - June 30, 1996.

Gov. Msg. No. 39, dated December 2, 1996, transmitting the Criminal Injuries Compensation Commission's Twenty-Ninth Annual Report, pursuant to Chapter 351, HRS.

Gov. Msg. No. 40, dated December 2, 1996, transmitting the "Annual Report of the Interagency Federal Maximization Revolving Fund for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 29-24, HRS.

Gov. Msg. No. 41, dated December 2, 1996, transmitting the "Annual Report of the State Educational Facilities Improvement Special Fund for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 36-32, HRS.

Gov. Msg. No. 42, dated December 2, 1996, transmitting the "Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 1995 - 1996," prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 43, dated December 2, 1996, transmitting a report, "Updated Listing of Office Leases Centralized Within the Department of Accounting and General Services," prepared by the Department of Accounting and General Services pursuant to Act 218, Section 96, SLH 1995.

Gov. Msg. No. 44, dated December 2, 1996, transmitting a Project-Funded Staff Services Budget Report prepared by the Department of Accounting and General Services pursuant to Act 218, Section 133, SLH 1995.

Gov. Msg. No. 45, dated December 3, 1996, transmitting the "Annual Report Relating to the Forest Stewardship Program," prepared by the Department of Land and Natural Resources, Division of Forestry and wildlife, pursuant to Section 195F-6, HRS.

Gov. Msg. No. 46, dated December 3, 1996, transmitting the "Annual Report on the Wildlife Revolving Fund," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 183D-10.5, HRS.

Gov. Msg. No. 47, dated December 3, 1996, transmitting the "Annual Report on the Hawaii Statewide Trail and Access System" and the "Report on Moneys Accrued: Federal Grants and Non-Highway Recreational Fuel," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Sections 198D-9 and 198D-2, HRS.

Gov. Msg. No. 48, dated December 3, 1996, transmitting the "Annual Report on Identification of Rivers and Streams Worthy of Protection," prepared by the Department of Land and Natural Resources, Commission on Water Resource Management, pursuant to Section 174C-31, HRS.

Gov. Msg. No. 49, dated December 3, 1996, transmitting the "Annual Report on the Natural Area Reserves System and Natural Area Partnership Program," prepared by the Department of Land and Natural Resources, Division of Forestry and Wildlife, pursuant to Section 195-6.6, HRS.

Gov. Msg. No. 50, dated December 6, 1996, transmitting the "Report of the Commissioner of Financial Institutions," prepared by the Department of Commerce and Consumer Affairs, Division of Financial Institutions, pursuant to Act 155, SLH 155.

Gov. Msg. No. 51, dated December 6, 1996, transmitting a report prepared by the Department of Transportation pursuant



to Section 264-18, HRS, requesting the Department of Transportation to report annually to the Legislature the Bikeway Expenditures and Current Bikeway Projects.

Gov. Msg. No. 52, dated December 6, 1996, transmitting a report prepared by the Department of Public Safety pursuant to Act 216, Section 2, SLH 1996, on the recidivism rate of pretrial inmates released under the program.

Gov. Msg. No. 53, dated December 6, 1996, transmitting a report, "Debt Service Expenditures," prepared by the Department of Transportation pursuant to Act 218, Sections 19, 21 and 24, SLH 1995, as amended by Act 287, SLH 1996.

Gov. Msg. No. 54, dated December 6, 1996, transmitting a report, "Special Repair and Maintenance Projects," prepared by the Department of Transportation pursuant to Act 218, Sections 16, 20 and 22, SLH 1995.

Gov. Msg. No. 55, dated December 6, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 275 (1994), requesting the Department of Transportation to evaluate the design and build concept for selected highways projects.

Gov. Msg. No. 56, dated December 6, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 208 (1996), requesting the Department of Transportation to examine the feasibility of, and to provide recommendations for, a volunteer enforcement program for the illegal use of parking reserved for persons with disabilities.

Gov. Msg. No. 57, dated December 6, 1996, transmitting a report, "A Re-examination of the Jet Fuel Needs of Keahole-Kona International Airport and Practicable Alternatives," prepared by the Department of Transportation, Airports Division, in response to S.C.R. No. 253 (1996).

Gov. Msg. No. 58, dated December 6, 1996; transmitting a report, "Project-Funded Staff Services Budget," prepared by the Department of Transportation pursuant to Act 218, Sections 106, 107 and 112, SLH 1995.

Gov. Msg. No. 59, dated December 6, 1996, transmitting a Report on Implementing the Lead Abatement Program, prepared by the Department of Transportation pursuant to Act 218, Section 23, SLH 1995.

Gov. Msg. No. 60, dated December 9, 1996, transmitting the "Annual Report on Geothermal Royalties and Geothermal and Cable Development Activities," prepared by the Department of Land and Natural Resources, Land Division, pursuant to Sections 182-18 and 196D-11, HRS.

Gov. Msg. No. 61, dated December 9, 1996, transmitting the "Annual Report on the North Shore Paukuaia Streambank Erosion and Riparian Area Community Project," prepared by the Department of Land and Natural Resources, Land Division, in response to S.C.R. No. 223 (1995).

Gov. Msg. No. 62, dated December 10, 1996, transmitting a report, "Single Entry Point System," prepared by the Department of Human Services pursuant to Act 301, SLH 1996.

Gov. Msg. No. 63, dated December 10, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 214 (1995), requesting the governor to convene the Hawaii Maritime Industry Policy Advisory Task Force.

Gov. Msg. No. 64, dated December 10, 1996, transmitting a report prepared by the Department of Transportation in response to S.C.R. No. 186 (1996), requesting the coordination of efforts of the Department of Transportation and the Department of Business, Economic Development, and Tourism to develop a plan for the shipment of Hawaii cattle to the

United States West Coast that is consistent with section 27 of the Merchant Marine Act, 1920.

Gov. Msg. No. 65, dated December 11, 1996, transmitting the Project-Funded Staff Services Budget Report prepared by the Department of Land and Natural Resources, Administrative Services Office, pursuant to Act 218, SLH 1995.

Gov. Msg. No. 66, dated December 11, 1996, transmitting a Report on the Status of a Land Exchange Between the State of Hawaii and the George Galbraith Estate, prepared by the Department of Land and Natural Resources, Land Division, pursuant to Act 255, SLH 1996.

Gov. Msg. No. 67, dated December 11, 1996, transmitting the Status Report on Special, Trust, or Revolving Funds for Fiscal Year Ending June 30, 1996, pursuant to H.C.R. No. 125 (1993).

Gov. Msg. No. 68, dated December 11, 1996, transmitting the Report of General Fund Expenditures for Unemployment Compensation (LBR 171) for Fiscal Year Ending June 30, 1996, pursuant to Act 289, Section 23, SLH 1993.

Gov. Msg. No. 69, dated December 11, 1996, transmitting the Financial Report of the Special Unemployment Insurance Fund Revenues and Expenditures for Fiscal Year Ending June 30, 1996, pursuant to Section 383-127, HRS.

Gov. Msg. No. 70, dated December 11, 1996, transmitting the 1996 Annual Update Report on Various Cost Options On Customary Fee Profiles for Non-Institutional Health Care Providers, prepared by the Department of Human Services, Med-QUEST Division, pursuant to Section 346-59, HRS.

Gov. Msg. No. 71, dated December 12, 1996, transmitting a Report on the Status of the Aloha Tower Special Fund, prepared by the Department of Business, Economic Development, and Tourism, Aloha Tower Development Corporation, pursuant to Act 137, SLH 1994.

Gov. Msg. No. 72, dated December 12, 1996, transmitting the "Report of the Insurance Commissioner of Hawaii 1996, Summary of Insurance Business for the Year 1995," prepared by the Department of Commerce and Consumer Affairs pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 73, dated December 12, 1996, transmitting the following reports: "Report of Occupational Safety and Health Training and Assistance Fund," pursuant to Section 396-4, HRS; "Report of Contested Cases," pursuant to Section 396-11, HRS; and "Report on Unsafe Employment for Women," pursuant to Section 396-17, HRS; all prepared by the Department of Labor and Industrial Relations, Occupational Safety and Health Division.

Gov. Msg. No. 74, dated December 13, 1996, transmitting a report, "Spouse and Child Abuse Special Account," prepared by the Department of Human Services pursuant to Act 232, Section 2, SLH 1994.

Gov. Msg. No. 75, dated December 13, 1996, transmitting a report, "Annual Evaluation of the Hawaii Unemployment Compensation Fund," prepared by the Department of Labor and Industrial Relations pursuant to Section 383-126.5, HRS.

Gov. Msg. No. 76, dated December 16, 1996, transmitting "The Variance Report for Fiscal Years 1996 and 1997," pursuant to Section 37-75, HRS; and "The Multi-Year Program and Financial Plan and Executive Budget for the Period 1998 - 2003," pursuant to Sections 37-69 and 37-71, HRS.

Gov. Msg. No. 77, dated December 16, 1996, transmitting the 1996 Annual Report of the Office of Information Practices, pursuant to Section 92F-42, HRS.

Gov. Msg. No. 78, dated December 18, 1996, transmitting the 1996 Annual Report of the Hawaii Real Estate Commission, Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs, pursuant to Section 467-45, HRS.

Gov. Msg. No. 79, dated December 19, 1996, transmitting the Report on a Comprehensive Review of the Provisions of Chapter 171, Hawaii Revised Statutes, prepared by the Department of Land and Natural Resources pursuant to Act 109, SLH 1996.

Gov. Msg. No. 80, dated December 11, 1996, transmitting a report on Worker's Compensation Expenditures, prepared by the Department of Human Resources Development pursuant to Act 218, Section 93, SLH 1995.

Gov. Msg. No. 81, dated December 20, 1996, transmitting a report relating to interagency agreements regarding services provided to children under special education programs and through school-based health centers, pursuant to Act 287, Section 66.1, SLH 1996.

Gov. Msg. No. 82, dated December 12, 1996, transmitting the "Payroll Lag Financial Hardship Program Report," prepared by the Department of Human Resources Development pursuant to Act 80, SLH 1996.

Gov. Msg. No. 83, dated December 23, 1996, transmitting the "Annual Report on the Discoveries and Inventions Revolving Fund," prepared by the University of Hawaii pursuant to Section 304-892, HRS.

Gov. Msg. No. 84, dated December 27, 1996, transmitting the "Report on State Positions Assigned to Ranges SC-1, SC-2, and SC-3," prepared by the Department of Human Resources Development pursuant to Section 77-13, HRS.

Gov. Msg. No. 85, dated December 23, 1996, transmitting a report prepared by the University of Hawaii in response to S.C.R. No. 145 (1996), requesting the University of Hawaii to review its Tuition Assistance Program to allow more time for tuition assistance application and approval.

Gov. Msg. No. 86, dated December 23, 1996, transmitting a Report on Tuition Waivers at the University of Hawaii, prepared by the University of Hawaii pursuant to Act 161, Section 3, SLH 1995.

Gov. Msg. No. 87, dated January 10, 1997, transmitting the "Report of the 1995 - 1997 Tax Review Commission," pursuant to Section 232E-3, HRS.

Gov. Msg. No. 88, dated November 27, 1996, transmitting the Report on Special Purpose Revenue Bonds Issued and Outstanding and Authorized But Unissued as of July 1, 1996, pursuant to Article VII, Section 12, Hawaii State Constitution and Section 39A-1, HRS.

Gov. Msg. No. 89, dated December 27, 1996, transmitting the Good Beginnings Initiative Annual Report pursuant to Executive Order 96-03.

Gov. Msg. No. 90, dated December 23, 1996, transmitting the 1995 - 1996 Annual Report prepared by the Hawaii Community Development Authority, pursuant to Chapter 206E, HRS.

Gov. Msg. No. 91, dated January 10, 1997, transmitting the Fiscal Year 1996 Annual Report on the Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act, prepared by the Department of the Attorney General pursuant to Section 712A-16, HRS.

#### DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 11) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the State Auditor dated November 25, 1996, transmitting a report, "Financial Audit of the Kona Community Hospital," (Report No. 96-17).

Dept. Com. No. 2, from the State Auditor dated November 29, 1996, transmitting a report, "Financial Audit of the Department of Defense," (Report No. 96-18).

Dept. Com. No. 3, from the Supreme Court of Hawaii dated December 13, 1996, transmitting the Judiciary's Multi-Year Program and Financial Plan (1997-2003), Judiciary Budget (1997-1999), and Variance Report (1995-1997), pursuant to Section 601-2, HRS.

Dept. Com. No. 4, from the State Auditor dated December 13, 1996, transmitting a report, "Audit of the QUEST Demonstration Project," (Report No. 96-19).

Dept. Com. No. 5, from the State Auditor dated December 16, 1996, transmitting a report, "Audit of the After-School Plus (A+) Program of the Department of Education," (Report No. 96-20).

Dept. Com. No. 6, from the State Auditor dated December 18, 1996, transmitting a report, "Review of Revolving and Trust Funds of the Office of the Governor, Office of Hawaiian Affairs, and the Department of Education," (Report No. 96-21), pursuant to Section 23-12, HRS.

Dept. Com. No. 7, from the Supreme Court of Hawaii dated December 26, 1996, transmitting twelve reports pursuant to Act 18, Sections 8 and 10, Special Session 1995; Act 244, Sections 5, 10A and 20B, SLH 1996; H.R. No. 8 (1995); S.R. No. 184 (1996); Act 167, Section 3, SLH 1996; Act 203, Section 6, SLH 1996; Act 316, SLH 1993; Section 601-3.6, HRS; and Act 214, Section 21, SLH 1993; also transmitting the annual reports from the Judiciary History Center and the Center for Alternative Dispute Resolution.

Dept. Com. No. 8, from the Ombudsman dated December 26, 1996, transmitting the "Report of the Ombudsman," (Report No. 27), pursuant to Section 96-16, HRS.

Dept. Com. No. 9, from the Office of the Administrative Director of the Courts dated January 3, 1997, transmitting a corrected version of the Report on Expedited Sentencing transmitted on December 26, 1996.

Dept. Com. No. 10, from the State Auditor dated January 3, 1997, transmitting a report, "Fiscal Accountability in the Department of Education: How Accurate Are Textbook Costs," (Report No. 97-1), pursuant to Section 296-92, HRS.

Dept. Com. No. 11, from the State Auditor dated January 7, 1997, transmitting a report, "Audit of the Department of Transportation's Procurement of Information Systems," (Report No. 97-2).

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 15, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 15, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 1997," was adopted.

**JUDICIARY COMMUNICATION**

Jud. Com. No. 1, submitting for consideration and consent, the nomination of COLETTE YODA GARIBALDI to the office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

**ORDER OF THE DAY**

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 15, 1997:

- | Senate Bill | Referred to:   |
|-------------|--|
| No. 1       | Committee on Commerce, Consumer Protection, and Information Technology                                     |
| No. 2       | Committee on Ways and Means  |
| No. 3       | Committee on Education, then to the Committee on Ways and Means  |
| No. 4       | Committee on Human Resources, then to the Committee on Ways and Means                                      |
| No. 5       | Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary |
| No. 6       | Committee on Human Resources   |
| No. 7       | Committee on Judiciary   |
| No. 8       | Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means                    |
| No. 9       | Committee on Education, then to the Committee on Ways and Means  |
| No. 10      | Committee on Education, then to the Committee on Ways and Means  |
| No. 11      | Committee on Education, then to the Committee on Ways and Means  |
| No. 12      | Committee on Human Resources   |
| No. 13      | Committee on Human Resources, then to the Committee on Ways and Means                                      |
| No. 14      | Committee on Transportation and Intergovernmental Affairs  |
| No. 15      | Committee on Commerce, Consumer Protection, and Information Technology                                     |
| No. 16      | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means         |
| No. 17      | Committee on Education, then to the Committee on Ways and Means  |

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|--------|---|
| No. 18 | Committee on Economic Development, then to the Committee on Ways and Means  |
| No. 19 | Committee on Education, then to the Committee on Ways and Means   |
| No. 20 | Committee on Education, then to the Committee on Ways and Means   |
| No. 21 | Committee on Education, then to the Committee on Ways and Means   |
| No. 22 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary   |
| No. 23 | Committee on Education, then to the Committee on Ways and Means   |
| No. 24 | Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means   |
| No. 25 | Committee on Education  |
| No. 26 | Committee on Education  |
| No. 27 | Committee on Education, then to the Committee on Ways and Means   |
| No. 28 | Committee on Education, then to the Committee on Ways and Means   |
| No. 29 | Committee on Judiciary, then to the Committee on Ways and Means   |
| No. 30 | Committee on Human Resources, then to the Committee on Ways and Means   |
| No. 31 | Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology  |
| No. 32 | Committee on Human Resources, then to the Committee on Ways and Means   |
| No. 33 | Committee on Health and Environment, then to the Committee on Judiciary   |
| No. 34 | Committee on Human Resources, then to the Committee on Government Operations and Housing  |
| No. 35 | Committee on Government Operations and Housing  |
| No. 36 | Committee on Judiciary  |
| No. 37 | Committee on Economic Development   |
| No. 38 | Committee on Judiciary  |
| No. 39 | Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology  |
| No. 40 | Committee on Commerce, Consumer Protection, and Information Technology  |
| No. 41 | Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 42 | Committee on Judiciary, then to the Committee on Ways and Means   |

- No. 43 Committee on Commerce, Consumer Protection, and Information Technology
- No. 44 Committee on Commerce, Consumer Protection, and Information Technology
- No. 45 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 46 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 47 Committee on Education, then to the Committee on Ways and Means
- No. 48 Committee on Commerce, Consumer Protection, and Information Technology
- No. 49 Committee on Commerce, Consumer Protection, and Information Technology
- No. 50 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 51 Committee on Economic Development, then to the Committee on Ways and Means
- No. 52 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 53 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 54 Committee on Commerce, Consumer Protection, and Information Technology
- No. 55 Committee on Commerce, Consumer Protection, and Information Technology
- No. 56 Committee on Health and Environment
- No. 57 Committee on Commerce, Consumer Protection, and Information Technology
- No. 58 Committee on Education, then to the Committee on Ways and Means
- No. 59 Committee on Ways and Means
- No. 60 Committee on Education, then to the Committee on Ways and Means
- No. 61 Committee on Commerce, Consumer Protection, and Information Technology
- No. 62 Committee on Ways and Means
- No. 63 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 64 Committee on Commerce, Consumer Protection, and Information Technology
- No. 65 Committee on Education, then to the Committee on Ways and Means
- No. 66 Committee on Education, then to the Committee on Ways and Means
- No. 67 Committee on Economic Development
- No. 68 Committee on Education, then to the Committee on Ways and Means
- No. 69 Committee on Ways and Means
- No. 70 Committee on Education, then to the Committee on Ways and Means
- No. 71 Committee on Education, then to the Committee on Ways and Means
- No. 72 Committee on Education, then to the Committee on Ways and Means
- No. 73 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 74 Committee on Human Resources, then to the Committee on Ways and Means
- No. 75 Committee on Judiciary
- No. 76 Committee on Judiciary
- No. 77 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 78 Committee on Judiciary
- No. 79 Committee on Judiciary
- No. 80 Committee on Human Resources, then to the Committee on Ways and Means
- No. 81 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 82 Committee on Human Resources, then to the Committee on Ways and Means
- No. 83 Committee on Human Resources
- No. 84 Committee on Judiciary
- No. 85 Committee on Human Resources, then to the Committee on Ways and Means
- No. 86 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development
- No. 87 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development
- No. 88 Committee on Human Resources
- No. 89 Committee on Judiciary
- No. 90 Committee on Judiciary, then to the Committee on Ways and Means
- No. 91 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

#### MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 3) were read by the Clerk and were placed on File:

Misc. Com. No. 1, from the County of Kauai, Department of Water, dated December 2, 1996, transmitting the "Proposed

C.I.P. Projects, Request for State Aid, 1997 Session," and Resolution No. 3 adopted by the Kauai Board of Water Supply.

Misc. Com. No. 2, from the County of Kauai Police Department dated December 27, 1996, transmitting the 1996 Annual Report pursuant to Act 242, SLH 1995.

Misc. Com. No. 3, from the City and County of Honolulu Police Department dated December 20, 1996, transmitting the 1996 Annual Report, pursuant to Act 242, SLH 1995.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:59 o'clock a.m., the following bills passed First Reading by title and were deferred:

#### Senate Bill

No. 162 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin.

No. 163 "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY."

Introduced by: Senator Levin.

No. 164 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EARLY INTERVENTION SERVICES."

Introduced by: Senator Levin.

No. 165 "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES."

Introduced by: Senator Levin.

No. 166 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Levin.

No. 167 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin, by request.

No. 168 "A BILL FOR AN ACT RELATING TO PRESERVATION OF ANTIQUITIES."

Introduced by: Senator Levin.

No. 169 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LICENSE PLATES."

Introduced by: Senator Levin.

No. 170 "A BILL FOR AN ACT RELATING TO THE CONTROL OF BROWN TREE SNAKES."

Introduced by: Senator Levin.

No. 171 "A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE."

Introduced by: Senator Levin.

No. 172 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Levin.

No. 173 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Senator Levin.

No. 174 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE DISASTER DEBRIS MANAGEMENT PLAN."

Introduced by: Senator Levin.

No. 175 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Levin.

No. 176 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Levin.

No. 177 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Levin.

No. 178 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UPDATING THE INTEGRATED SOLID WASTE MANAGEMENT PLAN."

Introduced by: Senator Levin.

No. 179 "A BILL FOR AN ACT RELATING TO HUMAN IMMUNODEFICIENCY VIRUS AND ACQUIRED IMMUNODEFICIENCY SYNDROME."

Introduced by: Senator Levin.

No. 180 "A BILL FOR AN ACT RELATING TO LOW-INCOME INDIVIDUALS."

Introduced by: Senators Chun Oakland, Kanno.

No. 181 "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS."

Introduced by: Senator Bunda.

No. 182 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Bunda.

No. 183 "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS."

Introduced by: Senator Bunda.

No. 184 "A BILL FOR AN ACT RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT."

Introduced by: Senator Bunda.

No. 185 "A BILL FOR AN ACT RELATING TO ORGANIC AGRICULTURE."

Introduced by: Senator Bunda.

No. 186 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE."

Introduced by: Senator Bunda.

No. 187 "A BILL FOR AN ACT RELATING TO POLICE SERVICES FOR PUBLIC SCHOOLS."

Introduced by: Senator Bunda.

No. 188 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A HEALTH AND WELLNESS CENTER."

Introduced by: Senator Bunda.

No. 189 "A BILL FOR AN ACT RELATING TO A HAWAIIAN NATION TRADING REGION."

Introduced by: Senators Bunda, McCartney.

No. 190 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda.

No. 191 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Anderson, Slom.

No. 192 "A BILL FOR AN ACT RELATING TO LEGISLATOR'S RETIREMENT."

Introduced by: Senators Anderson, Slom.

No. 193 "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE."

Introduced by: Senators Anderson, Kawamoto.

No. 194 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Aki.

No. 195 "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS."

Introduced by: Senator Aki.

No. 196 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senators Ihara, Levin.

No. 197 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE."

Introduced by: Senator Iwase.

No. 198 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS WITHIN THE EIGHTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Iwase.

No. 199 "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."

Introduced by: Senator Mizuguchi, by request.

No. 200 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 201 "A BILL FOR AN ACT RELATING TO JURY TRIALS."

Introduced by: Senator Mizuguchi.

No. 202 "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS."

Introduced by: Senator Mizuguchi.

No. 203 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chumbley, Chun Oakland, Ige, M., Kawamoto, Levin, Matsunaga, Matsuura, McCartney, Slom.

No. 204 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun Oakland, Fukunaga, Ige, M., Iwase, Kawamoto, Slom, Tam, Tanaka, Taniguchi.

No. 205 "A BILL FOR AN ACT RELATING TO POSTSECONDARY EDUCATION."

Introduced by: Senators Sakamoto, Anderson, Bunda, Chun Oakland, Fukunaga, Ige, D., Ige, M., Iwase, Kawamoto, Levin, Matsuura, Tanaka, Taniguchi.

No. 206 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 207 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 208 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 209 "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."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 210 "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 211 "A BILL FOR AN ACT RELATING TO QUIETING TITLE."

Introduced by: Senators Chumbley, Baker, Tanaka, Iwase.

No. 212 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Iwase, Kawamoto, Matsunaga, Taniguchi.

No. 213 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Kawamoto, Taniguchi.

No. 214 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Senators Chumbley, McCartney, Ige, D.

No. 215 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Chumbley, Bunda, Kawamoto, Taniguchi.

No. 216 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TWENTY-FOUR HOUR EMERGENCY MEDICAL SERVICES FOR HANA."

Introduced by: Senators Chumbley, Baker, Tanaka, Bunda, Iwase, Kawamoto, Matsunaga, Taniguchi.

No. 217 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH THE MAUI FOODBANK, INC."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 218 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH THE KAUAI FOODBANK, INC."

Introduced by: Senators Chumbley, Fernandes Salling.

No. 219 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUOUS IN-SERVICE TRAINING FOR TEACHERS OF THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Chumbley, Baker, McCartney, Ige, D.

No. 220 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senators Chumbley, Baker, McCartney, Ige, D.

No. 221 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH FACILITIES IMPROVEMENT."

Introduced by: Senators Chumbley, Baker.

No. 222 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Chumbley.

No. 223 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senators Baker, Sakamoto, Ige, D., Kawamoto.

No. 224 "A BILL FOR AN ACT RELATING TO RETIREMENT."

Introduced by: Senator Baker.

No. 225 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Senator Baker.

No. 226 "A BILL FOR AN ACT RELATING TO ARCHITECTS."

Introduced by: Senators Baker, Ige, D.

No. 227 "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 228 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 229 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF PHYSICIANS IN THE WORKERS' COMPENSATION LAW."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 230 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senators Baker, Chumbley, Tanaka.

No. 231 "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS."

Introduced by: Senators Kanno, Levin.

No. 232 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senator Kanno.

No. 233 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland.

No. 234 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Kanno.

No. 235 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT THE LONG-TERM CARE INSURANCE BENEFITS PLAN OF THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Chun Oakland.

No. 236 "A BILL FOR AN ACT RELATING TO CUSTODY."

Introduced by: Senator Tam.

No. 237 "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES."

Introduced by: Senator Tam.

No. 238 "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES."

Introduced by: Senator Mizuguchi, by request.

No. 239 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 240 "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES."

Introduced by: Senator Mizuguchi, by request.

No. 241 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 242 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senator Mizuguchi, by request.

No. 243 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Senator Mizuguchi, by request.

No. 244 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."

Introduced by: Senator Mizuguchi, by request.

No. 245 "A BILL FOR AN ACT RELATING TO REVENUE SHARING."

Introduced by: Senator Mizuguchi, by request.

No. 246 "A BILL FOR AN ACT RELATING TO COUNTY CONTRACTS."

Introduced by: Senator Mizuguchi, by request.

No. 247 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

#### **ADJOURNMENT**

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 17, 1997.



## THIRD DAY

Friday, January 17, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present with the exception of Senators Fernandes Salling, Fukunaga, Kawamoto, Matsuura and Tam who were excused.

The President announced that he had read and approved the Journal of the Second Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 92 and 93) were read by the Clerk and were placed on file:

Gov. Msg. No. 92, dated December 26, 1996, transmitting a Report to the Legislature Relating to Condominium Property Regime and the Condominium Management Education Fund: Summary of Programs and Financial Information, prepared by the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, Hawaii Real Estate Commission, pursuant to Act 283, SLH 1990.

Gov. Msg. No. 93, dated January 15, 1997, transmitting the Program Memoranda, prepared by the Department of Budget and Finance, Budget, Program Planning and Management Division pursuant to Section 37-70, HRS.

## JUDICIARY COMMUNICATION

Jud. Com. No. 2, submitting for consideration and consent, the nomination of KENNETH E. ENRIGHT to the office of Judge, District Family Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 15, 1997:

Senate Bill	Referred to:
No. 92	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 93	Committee on Commerce, Consumer Protection, and Information Technology
No. 94	Committee on Commerce, Consumer Protection, and Information Technology
No. 95	Committee on Commerce, Consumer Protection, and Information Technology
No. 96	Committee on Commerce, Consumer Protection, and Information Technology
No. 97	Committee on Judiciary
No. 98	Committee on Human Resources, then to the Committee on Ways and Means
No. 99	Committee on Judiciary, then to the Committee on Ways and Means

No. 100	Committee on Health and Environment, then to the Committee on Ways and Means
No. 101	Committee on Judiciary
No. 102	Committee on Judiciary
No. 103	Committee on Transportation and Intergovernmental Affairs
No. 104	Committee on Judiciary
No. 105	Committee on Health and Environment, then to the Committee on Ways and Means
No. 106	Committee on Health and Environment, then to the Committee on Ways and Means
No. 107	Committee on Transportation and Intergovernmental Affairs
No. 108	Committee on Judiciary
No. 109	Committee on Health and Environment, then to the Committee on Ways and Means
No. 110	Committee on Transportation and Intergovernmental Affairs
No. 111	Committee on Government Operations and Housing, then to the Committee on Judiciary
No. 112	Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
No. 113	Committee on Commerce, Consumer Protection, and Information Technology
No. 114	Committee on Health and Environment, then to the Committee on Ways and Means
No. 115	Committee on Education, then to the Committee on Ways and Means
No. 116	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 117	Committee on Judiciary
No. 118	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, then to the Committee on Ways and Means
No. 119	Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
No. 120	Committee on Economic Development, then to the Committee on Ways and Means
No. 121	Committee on Economic Development, then to the Committee on Ways and Means
No. 122	Jointly to the Committee on Economic Development and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 123	Committee on Economic Development, then to the Committee on Ways and Means

- No. 124 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 125 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 126 Committee on Education, then to the Committee on Ways and Means
- No. 127 Committee on Judiciary
- No. 128 Committee on Judiciary
- No. 129 Committee on Human Resources, then to the Committee on Ways and Means
- No. 130 Committee on Transportation and Intergovernmental Affairs
- No. 131 Committee on Government Operations and Housing
- No. 132 Committee on Human Resources, then to the Committee on Ways and Means
- No. 133 Committee on Human Resources, then to the Committee on Ways and Means
- No. 134 Committee on Education, then to the Committee on Ways and Means
- No. 135 Committee on Commerce, Consumer Protection, and Information Technology
- No. 136 Committee on Commerce, Consumer Protection, and Information Technology
- No. 137 Committee on Health and Environment
- No. 138 Committee on Commerce, Consumer Protection, and Information Technology
- No. 139 Committee on Health and Environment, then to the Committee on Judiciary
- No. 140 Committee on Commerce, Consumer Protection, and Information Technology
- No. 141 Committee on Commerce, Consumer Protection, and Information Technology
- No. 142 Committee on Commerce, Consumer Protection, and Information Technology
- No. 143 Committee on Health and Environment, then to the Committee on Judiciary
- No. 144 Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 145 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 146 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 147 Committee on Ways and Means
- No. 148 Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 149 Committee on Transportation and Intergovernmental Affairs
- No. 150 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 151 Committee on Transportation and Intergovernmental Affairs
- No. 152 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary

The following Majority leadership assignments were announced by Senate President Mizuguchi:

Majority Leaders:

Senator Les Ihara, Jr.  
Senator Mike McCartney

The President also announced the following standing committees of the Senate:

Commerce, Consumer Protection, and Information Technology

Senator Rosalyn H. Baker, Co-Chair  
Senator David Ige, Co-Chair  
Senator James Aki  
Senator Suzanne Chun Oakland  
Senator Brian Kanno  
Senator Malama Solomon  
Senator Sam Slom

Economic Development

Senator Joe Tanaka, Co-Chair  
Senator Brian Taniguchi, Co-Chair  
Senator Robert Bunda  
Senator Avery Chumbley  
Senator Randy Iwase  
Senator Cal Kawamoto  
Senator Matt Matsunaga  
Senator Malama Solomon  
Senator Sam Slom

Education

Senator James Aki, Co-Chair  
Senator Rod Tam, Co-Chair  
Senator Lehua Fernandes Salling  
Senator David Ige  
Senator Marshall Ige  
Senator Richard Matsuura  
Senator Sam Slom

Government Operations and Housing

Senator Robert Bunda, Co-Chair  
Senator Marshall Ige, Co-Chair  
Senator Matt Matsunaga  
Senator Whitney Anderson

Health and Environment

Senator Andrew Levin, Co-Chair  
Senator Richard Matsuura, Co-Chair  
Senator Suzanne Chun Oakland  
Senator Rod Tam  
Senator Sam Slom

Human Resources

Senator Suzanne Chun Oakland, Co-Chair  
 Senator Brian Kanno, Co-Chair  
 Senator Rosalyn H. Baker  
 Senator Carol Fukunaga  
 Senator Andrew Levin  
 Senator Norman Sakamoto  
 Senator Whitney Anderson

Judiciary

Senator Avery Chumbley, Co-Chair  
 Senator Matt Matsunaga, Co-Chair  
 Senator Robert Bunda  
 Senator Richard Matsuura  
 Senator Mike McCartney  
 Senator Norman Sakamoto  
 Senator Whitney Anderson

Transportation and Intergovernmental Affairs

Senator Cal Kawamoto, Co-Chair  
 Senator Norman Sakamoto, Co-Chair  
 Senator James Aki  
 Senator Avery Chumbley  
 Senator Lehua Fernandes Salling  
 Senator Brian Kanno  
 Senator Sam Slom

Water, Land, and Hawaiian Affairs

Senator Randy Iwase, Co-Chair  
 Senator Malama Solomon, Co-Chair  
 Senator Rosalyn H. Baker  
 Senator Carol Fukunaga  
 Senator David Ige  
 Senator Joe Tanaka  
 Senator Brian Taniguchi  
 Senator Whitney Anderson

Ways and Means

Senator Lehua Fernandes Salling, Co-Chair  
 Senator Carol Fukunaga, Co-Chair  
 Senator Marshall Ige  
 Senator Les Ihara, Jr.  
 Senator Randy Iwase  
 Senator Cal Kawamoto  
 Senator Andrew Levin  
 Senator Rod Tam  
 Senator Joe Tanaka  
 Senator Brian Taniguchi  
 Senator Whitney Anderson

**INTRODUCTION OF SENATE BILLS**

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:42 o'clock a.m., the following bills passed First Reading by title and were deferred:

Senate Bill

No. 248 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Mizuguchi, by request.

No. 249 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senator Mizuguchi, by request.

No. 250 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Mizuguchi.

No. 251 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi.

No. 252 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Senators Chun Oakland, Kanno, Levin.

No. 253 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Chun Oakland.

No. 254 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Senator Chun Oakland.

No. 255 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE."

Introduced by: Senators Chun Oakland, Matsunaga.

No. 256 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Senator Chun Oakland.

No. 257 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland.

No. 258 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland.

No. 259 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT RELATIONS ACT."

Introduced by: Senators Kanno, Chun Oakland.

No. 260 "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION."

Introduced by: Senators Kanno, Chun Oakland.

No. 261 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Kanno, by request.

No. 262 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Chun Oakland.

No. 263 "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES."

Introduced by: Senators Kanno, Chun Oakland.

No. 264 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Kawamoto, Anderson, Fukunaga, Ihara.

No. 265 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."

Introduced by: Senators Kawamoto, Anderson, Chumbley, Matsunaga.

No. 266 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Kawamoto, Fukunaga, Iwase, Kanno.

No. 267 "A BILL FOR AN ACT RELATING TO FINES AND FORFEITURES."

Introduced by: Senators Kawamoto, Anderson, Bunda, Fukunaga, Ihara, Iwase, Sakamoto.

No. 268 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senators Kawamoto, Iwase, Sakamoto.

No. 269 "A BILL FOR AN ACT RELATING TO AN EDUCATIONAL BILL OF RIGHTS FOR HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND CHILDREN."

Introduced by: Senator Tam.

No. 270 "A BILL FOR AN ACT RELATING TO ATHLETIC HEALTH CARE SPECIALISTS."

Introduced by: Senator Tam.

No. 271 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 12, OF THE HAWAII CONSTITUTION, TO LIMIT THE NUMBER OF BILLS INTRODUCED BY LEGISLATORS."

Introduced by: Senator Slom.

No. 272 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Senator Slom.

No. 273 "A BILL FOR AN ACT RELATING TO PUBLIC EDUCATION."

Introduced by: Senator Slom.

No. 274 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE HAWAII CONSTITUTION TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senator Slom.

No. 275 "A BILL FOR AN ACT RELATING TO ZERO BASE BUDGETS."

Introduced by: Senator Slom.

No. 276 "A BILL FOR AN ACT RELATING TO TRUTH IN SENTENCING."

Introduced by: Senator Slom.

No. 277 "A BILL FOR AN ACT RELATING TO AMBULANCE SERVICE."

Introduced by: Senator Slom.

No. 278 "A BILL FOR AN ACT RELATING TO PAYROLL DEDUCTIONS."

Introduced by: Senator Slom.

No. 279 "A BILL FOR AN ACT RELATING TO HOLIDAYS."

Introduced by: Senator Slom.

No. 280 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Slom.

No. 281 "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES."

Introduced by: Senator Slom.

No. 282 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Slom.

No. 283 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Slom.

No. 284 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Slom.

No. 285 "A BILL FOR AN ACT RELATING TO THE COURTS."

Introduced by: Senator Matsunaga.

No. 286 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 287 "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR."

Introduced by: Senators Matsunaga, Chumbley.

No. 288 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 289 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Senators Matsunaga, Chumbley.

No. 290 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION AND UPGRADE OF EXISTING CORRECTIONAL FACILITIES ON OAHU."

Introduced by: Senators Matsunaga, Chumbley.

No. 291 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COUNTY COMMUNITY POLICING PROGRAMS."

Introduced by: Senators Matsunaga, Chumbley.

No. 292 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND SEX OFFENDER AND DRUG PROGRAMS."

Introduced by: Senators Matsunaga, Chumbley.

No. 293 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Matsunaga, Chumbley.

No. 294 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUDICIARY."

Introduced by: Senators Matsunaga, Chumbley.

No. 295 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JUVENILE CORRECTIONAL SERVICES."

Introduced by: Senators Matsunaga, Chumbley.

No. 296 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Senators Matsunaga, Chumbley.

No. 297 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT."

Introduced by: Senators Matsunaga, Chumbley.

No. 298 "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED CONTROL OF A PROPELLED VEHICLE."

Introduced by: Senators Matsunaga, Chumbley.

No. 299 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Matsunaga, Chumbley.

No. 300 "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES."

Introduced by: Senators Matsunaga, Chumbley.

No. 301 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators Matsunaga, Chumbley.

No. 302 "A BILL FOR AN ACT RELATING TO INDORSEMENT."

Introduced by: Senators Matsunaga, Chumbley.

No. 303 "A BILL FOR AN ACT RELATING TO TRADE REGULATION AND PRACTICE."

Introduced by: Senators Matsunaga, Chumbley.

No. 304 "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 305 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Matsunaga, Chumbley.

No. 306 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Senators Matsunaga, Chumbley.

No. 307 "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT."

Introduced by: Senators Matsunaga, Chumbley.

No. 308 "A BILL FOR AN ACT RELATING TO PENALTIES AND PROCEDURE ON ARREST."

Introduced by: Senators Matsunaga, Chumbley.

No. 309 "A BILL FOR AN ACT RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES."

Introduced by: Senators Matsunaga, Chumbley.

No. 310 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Matsunaga, Chumbley.

No. 311 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Matsunaga, Chumbley.

No. 312 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Matsunaga, Chumbley.

No. 313 "A BILL FOR AN ACT RELATING TO PRIOR CONVICTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 314 "A BILL FOR AN ACT RELATING TO FIREARMS TRAINING."

Introduced by: Senators Matsunaga, Chumbley.

No. 315 "A BILL FOR AN ACT RELATING TO FIREARMS AND DANGEROUS WEAPONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 316 "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS."

Introduced by: Senators Matsunaga, Chumbley.

No. 317 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Senators Matsunaga, Chun Oakland.

No. 318 "A BILL FOR AN ACT RELATING TO FIREARMS AND DANGEROUS WEAPONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 319 "A BILL FOR AN ACT RELATING TO TRAFFIC PENALTIES."

Introduced by: Senators Matsunaga, Chumbley.

No. 320 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 321 "A BILL FOR AN ACT RELATING TO OBSCENITY."

Introduced by: Senators Matsunaga, Chumbley.

No. 322 "A BILL FOR AN ACT RELATING TO PROMOTING GAMBLING IN THE FIRST DEGREE."

- Introduced by: Senators Matsunaga, Chumbley.
- No. 323 "A BILL FOR AN ACT RELATING TO PROMOTING GAMBLING."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 324 "A BILL FOR AN ACT RELATING TO GAMBLING."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 325 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 326 "A BILL FOR AN ACT RELATING TO EXTENDED TERMS OF IMPRISONMENT."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 327 "A BILL FOR AN ACT RELATING TO COUNTIES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 328 "A BILL FOR AN ACT RELATING TO FORFEITURES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 329 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 330 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CERTIFICATION OF COURT INTERPRETERS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 331 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 332 "A BILL FOR AN ACT RELATING TO JURORS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 333 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 334 "A BILL FOR AN ACT RELATING TO VICTIM RESTITUTION."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 335 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 336 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 337 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 338 "A BILL FOR AN ACT RELATING TO CRIMINAL RECORDS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 339 "A BILL FOR AN ACT RELATING TO THE PILOT TEEN COURT PROGRAM."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 340 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 341 "A BILL FOR AN ACT RELATING TO ETHICS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 342 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 343 "A BILL FOR AN ACT RELATING TO LOBBYISTS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 344 "A BILL FOR AN ACT RELATING TO LOBBYISTS."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 345 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 346 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 347 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."
- Introduced by: Senators Chumbley, Matsunaga.
- No. 348 "A BILL FOR AN ACT RELATING TO PRIVATE SCHOOLS."
- Introduced by: Senators Chumbley, Baker, McCartney, Ige, D., Matsunaga.
- No. 349 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS, MAINTENANCE, AND IMPROVEMENTS."
- Introduced by: Senators Chumbley, Baker, McCartney, Ige, D., Matsunaga.
- No. 350 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRAINING OF SECURITY GUARDS FOR THE DEPARTMENT OF EDUCATION'S SCHOOL CAMPUSES."
- Introduced by: Senators Chumbley, Baker, McCartney, Ige, D., Matsunaga.

No. 351 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chumbley, Baker, McCartney, Ige, D., Matsunaga.

No. 352 "A BILL FOR AN ACT RELATING TO TAX PREPARERS."

Introduced by: Senators Chumbley, McCartney, Ige, D.

No. 353 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE IV, SECTIONS 2, 4, 5, AND 6, AND ARTICLE X, SECTION 2, OF THE CONSTITUTION OF THE STATE OF HAWAII TO REQUIRE THE ELECTION OF BOARD OF EDUCATION MEMBERS FROM THIRTEEN SINGLE-MEMBER DISTRICTS, WHOSE BOUNDARIES ARE DETERMINED BY THE REAPPORTIONMENT COMMISSION."

Introduced by: Senators Chumbley, McCartney, Ige, D., Matsunaga.

No. 354 "A BILL FOR AN ACT RELATING TO THE PREVENTION OF PHYSICAL AND SEXUAL VIOLENCE."

Introduced by: Senators Chumbley, Matsunaga, Baker.

No. 355 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 356 "A BILL FOR AN ACT RELATING TO AMBULANCE SERVICES."

Introduced by: Senators Chumbley, Tanaka, Baker.

No. 357 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAKENA BEACH PARK."

Introduced by: Senators Chumbley, Tanaka, Baker.

No. 358 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HIGH SCHOOL ATHLETIC PROGRAMS."

Introduced by: Senators Chumbley, Tanaka, Baker.

No. 359 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Chumbley, Tanaka, Baker.

No. 360 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Chumbley, Baker.

No. 361 "A BILL FOR AN ACT RELATING TO REGISTRARS FOR COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senators Chumbley, Tanaka, Baker.

No. 362 "A BILL FOR AN ACT RELATING TO CRIMES AGAINST PERSONS."

Introduced by: Senators Chumbley, Matsunaga, Tanaka, Baker.

No. 363 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators Chumbley, Matsunaga, Tanaka, Baker.

No. 364 "A BILL FOR AN ACT RELATING TO PUBLIC LAND."

Introduced by: Senators Chumbley, Iwase, Matsunaga, Tanaka, Baker.

No. 365 "A BILL FOR AN ACT RELATING TO MECHANICS' AND MATERIALMEN'S LIENS."

Introduced by: Senator Chumbley.

No. 366 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Levin, by request.

No. 367 "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS."

Introduced by: Senators Levin, Kanno, Tam.

No. 368 "A BILL FOR AN ACT RELATING TO INSURANCE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE."

Introduced by: Senators Levin, Kanno, Chun Oakland, Baker.

No. 369 "A BILL FOR AN ACT RELATING TO THE OFFICE OF PUBLIC INSURANCE COUNSEL."

Introduced by: Senators Levin, Kanno, Chun Oakland.

No. 370 "A BILL FOR AN ACT RELATING TO HEALTH MAINTENANCE ORGANIZATIONS."

Introduced by: Senators Levin, Solomon, Kanno, Chun Oakland.

No. 371 "A BILL FOR AN ACT RELATING TO AN INSURANCE CONSUMER ADVOCATE."

Introduced by: Senators Levin, Solomon, Kanno, Chun Oakland.

No. 372 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Levin.

No. 373 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Levin, by request.

No. 374 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH NURSING."

Introduced by: Senator Levin.

No. 375 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Levin, by request.

No. 376 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT."

Introduced by: Senator Levin.

No. 377 "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS."

Introduced by: Senator Levin.

No. 378 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Levin.

No. 379 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Senator Levin, by request.

No. 380 "A BILL FOR AN ACT RELATING TO COACHES' SALARIES."

Introduced by: Senator Tam.

No. 381 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC HEALTH CARE SPECIALIST POSITIONS IN THE PUBLIC SCHOOLS."

Introduced by: Senator Tam.

No. 382 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Tam.

No. 383 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

Introduced by: Senator Chun Oakland.

No. 384 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senators Chun Oakland, Kanno.

No. 385 "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES."

Introduced by: Senators Chun Oakland, Kanno, Iwase.

No. 386 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES FOR THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Fernandes Salling.

No. 387 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NANAKULI HOMESTEAD CEMETERY."

Introduced by: Senator Aki.

No. 388 "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS."

Introduced by: Senator Aki.

No. 389 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF HOUSING FOR NEW TEACHERS EMPLOYED IN RURAL AND REMOTE AREAS."

Introduced by: Senator Aki.

No. 390 "A BILL FOR AN ACT RELATING TO INCENTIVE AND INNOVATION GRANTS."

Introduced by: Senator Aki.

No. 391 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHERS TO ATTEND CONFERENCES IN HAWAII AND THE MAINLAND."

Introduced by: Senator Aki.

No. 392 "A BILL FOR AN ACT RELATING TO TEACHER RECRUITMENT."

Introduced by: Senator Aki.

No. 393 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER DEVELOPMENT."

Introduced by: Senator Aki.

No. 394 "A BILL FOR AN ACT RELATING TO TEACHER TRAINING."

Introduced by: Senator Aki.

No. 395 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Aki.

No. 396 "A BILL FOR AN ACT RELATING TO TEACHER EVALUATION."

Introduced by: Senator Aki.

No. 397 "A BILL FOR AN ACT RELATING TO TOW TRUCK OPERATORS."

Introduced by: Senators Kawamoto, Baker, Ige, D., Sakamoto.

No. 398 "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS."

Introduced by: Senators Kawamoto, Baker, Ige, D., Sakamoto.

No. 399 "A BILL FOR AN ACT RELATING TO CITATIONS."

Introduced by: Senators Kawamoto, Fukunaga, Iwase.

No. 400 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators McCartney, Ihara.

No. 401 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A SAFE IRRADIATION FACILITY IN THE STATE."

Introduced by: Senators McCartney, Ihara.

No. 402 "A BILL FOR AN ACT RELATING TO STOCKS AND BONDS TRANSFER TAX."

Introduced by: Senators Ihara, McCartney.

No. 403 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT UNIVERSITY OF HAWAII ATHLETIC PROGRAMS."

Introduced by: Senators Ihara, McCartney.

No. 404 "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION."

Introduced by: Senators Ihara, McCartney.

No. 405 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUPPORT SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE."

Introduced by: Senators Ihara, McCartney.



No. 406 "A BILL FOR AN ACT RELATING TO STATE PLANNING."

Introduced by: Senators Ihara, McCartney.

No. 407 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senators Ihara, McCartney.

No. 408 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Ihara, McCartney.

No. 409 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FUNDING FOR A SPECTRUM OF SUPPORTIVE HOUSING FOR PERSONS WITH SEVERE AND PERMANENT MENTAL ILLNESS."

Introduced by: Senators Ihara, McCartney.

No. 410 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Ihara, McCartney.

No. 411 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED STRUCTURES."

Introduced by: Senators Ihara, McCartney.

No. 412 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FINANCING."

Introduced by: Senators Ihara, McCartney.

No. 413 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senators Ihara, McCartney.

No. 414 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Ihara, McCartney.

No. 415 "A BILL FOR AN ACT RELATING TO NATURAL RESOURCES."

Introduced by: Senators Ihara, McCartney.

No. 416 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

Introduced by: Senators Ihara, McCartney.

No. 417 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM."

Introduced by: Senators Ihara, McCartney.

No. 418 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senators Ihara, McCartney.

No. 419 "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES."

Introduced by: Senators Ihara, McCartney.

No. 420 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STUDY OF EQUESTRIAN ACTIVITIES."

Introduced by: Senators Ihara, McCartney.

No. 421 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, McCartney.

No. 422 "A BILL FOR AN ACT RELATING TO THE RENTAL HOUSING TRUST FUND."

Introduced by: Senators Ihara, McCartney.

No. 423 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CENTER FOR LABOR EDUCATION AND RESEARCH."

Introduced by: Senators Ihara, McCartney.

No. 424 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senators Ihara, McCartney.

No. 425 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF ATHLETIC EVENTS HELD IN HAWAII."

Introduced by: Senators Ihara, McCartney.

No. 426 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senators Ihara, McCartney.

No. 427 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Ihara, McCartney.

No. 428 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Ihara, McCartney.

No. 429 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Ihara, McCartney.

No. 430 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators Ihara, McCartney.

No. 431 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senators Ihara, McCartney.

No. 432 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Ihara, McCartney.

No. 433 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RESTORE AND ENHANCE RESOURCES FOR EDUCATION."

Introduced by: Senators Ihara, McCartney.

No. 434 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, McCartney.

No. 435 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Ihara, McCartney.

No. 436 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senators Ihara, McCartney.

No. 437 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Ihara, McCartney.

No. 438 "A BILL FOR AN ACT RELATING TO VIOLENCE."

Introduced by: Senators Ihara, McCartney.

No. 439 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Senators Ihara, McCartney.

No. 440 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE FUNDING FOR PLANNING AND PROGRAMMING OF CONTINUING EDUCATION PROGRAMS."

Introduced by: Senators Ihara, McCartney.

No. 441 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, McCartney.

No. 442 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ihara, McCartney.

No. 443 "A BILL FOR AN ACT RELATING TO CITIZEN'S SUITS."

Introduced by: Senators Ihara, McCartney.

No. 444 "A BILL FOR AN ACT RELATING TO CULTURE AND THE ARTS."

Introduced by: Senators Ihara, McCartney.

No. 445 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CULTURE AND ARTS."

Introduced by: Senators Ihara, McCartney.

No. 446 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Ihara, McCartney.

No. 447 "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE."

Introduced by: Senators Ihara, McCartney.

No. 448 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MAIN STREET PROGRAM."

Introduced by: Senators Ihara, McCartney.

No. 449 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Ihara, McCartney.

No. 450 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators Ihara, McCartney.

No. 451 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, McCartney.

No. 452 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."

Introduced by: Senators Ihara, McCartney.

No. 453 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INCREASED ENFORCEMENT OF THE ENVIRONMENTAL LAWS."

Introduced by: Senators Ihara, McCartney.

No. 454 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, McCartney.

No. 455 "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S APPLIED RESEARCH COORDINATING COMMITTEE FOR OCEAN AND EARTH SCIENCE TECHNOLOGY."

Introduced by: Senator Matsuura.

No. 456 "A BILL FOR AN ACT RELATING TO OFFENSES INVOLVING DRUGS AND INTOXICATING COMPOUNDS."

Introduced by: Senator Matsuura.

No. 457 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Matsuura.

No. 458 "A BILL FOR AN ACT RELATING TO ALTERNATIVE FUELS."

Introduced by: Senator Matsuura.

No. 459 "A BILL FOR AN ACT RELATING TO PERJURY."

Introduced by: Senator Matsuura.

No. 460 "A BILL FOR AN ACT RELATING TO SUSPENSION OF DRIVER'S LICENSE FOR FELONY DRUG CONVICTIONS."

Introduced by: Senator Matsuura.

No. 461 "A BILL FOR AN ACT RELATING TO TERRORISM."

Introduced by: Senator Matsuura.

No. 462 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Matsuura.

No. 463 "A BILL FOR AN ACT RELATING TO HEALTH QUEST."

- Introduced by: Senator Matsuura.
- No. 464 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO DEVELOP PLANS FOR A SYSTEM TO DISTRIBUTE WATER FROM NORTH TO SOUTH KOHALA, HAWAII."
- Introduced by: Senator Matsuura.
- No. 465 "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION."
- Introduced by: Senator Matsuura.
- No. 466 "A BILL FOR AN ACT RELATING TO CONTRACTS."
- Introduced by: Senator Matsuura.
- No. 467 "A BILL FOR AN ACT RELATING TO A CLIENT'S BILL OF RIGHTS."
- Introduced by: Senator Matsuura.
- No. 468 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION."
- Introduced by: Senator Matsuura.
- No. 469 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INDIRECT INITIATIVE PROCESS."
- Introduced by: Senator Matsuura.
- No. 470 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Matsuura.
- No. 471 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAREGIVER TRAINING."
- Introduced by: Senator Matsuura.
- No. 472 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF MAHIMAHII FEED."
- Introduced by: Senator Matsuura.
- No. 473 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION."
- Introduced by: Senator Matsuura.
- No. 474 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Matsuura.
- No. 475 "A BILL FOR AN ACT RELATING TO A GERMPLOASM COLLECTION CENTER."
- Introduced by: Senator Matsuura.
- No. 476 "A BILL FOR AN ACT RELATING TO HEALTH CARE FACILITIES ON AGRICULTURAL LANDS."
- Introduced by: Senator Matsuura.
- No. 477 "A BILL FOR AN ACT RELATING TO UNINSURED MOTORISTS."
- Introduced by: Senator Matsuura.
- No. 478 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Matsuura.
- No. 479 "A BILL FOR AN ACT RELATING TO LAND USE."
- Introduced by: Senator Matsuura.
- No. 480 "A BILL FOR AN ACT RELATING TO DRIVING."
- Introduced by: Senator Matsuura.
- No. 481 "A BILL FOR AN ACT RELATING TO LIABILITY OF POLICE OFFICERS."
- Introduced by: Senator Matsuura.
- No. 482 "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE."
- Introduced by: Senator Matsuura.
- No. 483 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES."
- Introduced by: Senator Matsuura.
- No. 484 "A BILL FOR AN ACT RELATING TO GOOD SAMARITANS."
- Introduced by: Senator Matsuura.
- No. 485 "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE."
- Introduced by: Senator Matsuura.
- No. 486 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
- Introduced by: Senator Matsuura.
- No. 487 "A BILL FOR AN ACT RELATING TO PROCESS SERVERS."
- Introduced by: Senator Matsuura.
- No. 488 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senator Matsuura.
- No. 489 "A BILL FOR AN ACT RELATING TO HERBICIDES."
- Introduced by: Senator Levin.
- No. 490 "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS."
- Introduced by: Senator Levin.
- No. 491 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."
- Introduced by: Senator Levin.
- No. 492 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PUBLIC SCHOOL STUDENTS."
- Introduced by: Senator Levin.

No. 493 "A BILL FOR AN ACT RELATING TO EARTHQUAKE INSURANCE."

Introduced by: Senator Levin.

No. 494 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Levin.

No. 495 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REIMBURSE HAWAII QUALIFIED HEALTH CENTERS FOR MEDICAL CARE PROVIDED TO THE UNINSURED."

Introduced by: Senator Levin.

No. 496 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAKE WRAP-AROUND PAYMENTS TO HAWAII QUALIFIED HEALTH CENTERS FOR PROVIDING SERVICES TO QUEST PATIENTS AT LESS THAN COST."

Introduced by: Senator Levin.

No. 497 "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY."

Introduced by: Senator Levin.

No. 498 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 499 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 500 "A BILL FOR AN ACT RELATING TO BANKING."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 501 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 502 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 503 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 504 "A BILL FOR AN ACT RELATING TO COMMUNICATIONS."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 505 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 506 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 507 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 508 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 509 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 510 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 511 "A BILL FOR AN ACT RELATING TO INTERSTATE BANKING."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 512 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 513 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 514 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 515 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 516 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 517 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT IN HAWAII."

Introduced by: Senators Ihara, McCartney.

No. 518 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators McCartney, Ihara.

No. 519 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senators McCartney, Ihara.

No. 520 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senators McCartney, Ihara.

No. 521 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators McCartney, Ihara.

No. 522 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators McCartney, Ihara.

No. 523 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators McCartney, Ihara.

No. 524 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senators McCartney, Ihara.

No. 525 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senators McCartney, Ihara.

No. 526 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Senators McCartney, Ihara.

No. 527 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators McCartney, Ihara.

No. 528 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators McCartney, Ihara.

No. 529 "A BILL FOR AN ACT RELATING TO THE ARTS."

Introduced by: Senators Ihara, McCartney.

No. 530 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senators McCartney, Ihara.

No. 531 "A BILL FOR AN ACT RELATING TO CULTURE."

Introduced by: Senators McCartney, Ihara.

No. 532 "A BILL FOR AN ACT RELATING TO EDUCATION."

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No. 533 "A BILL FOR AN ACT RELATING TO EDUCATION."

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No. 535 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators McCartney, Ihara.

No. 536 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators McCartney, Ihara.

No. 537 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators McCartney, Ihara.

No. 538 "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES."

Introduced by: Senators McCartney, Ihara.

No. 539 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Ihara, McCartney.

No. 540 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Ihara, McCartney.

No. 541 "A BILL FOR AN ACT RELATING TO GOVERNMENT AFFAIRS."

Introduced by: Senators Ihara, McCartney.

No. 542 "A BILL FOR AN ACT RELATING TO GOVERNMENT AFFAIRS."

Introduced by: Senators Ihara, McCartney.

No. 543 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Ihara, McCartney.

No. 544 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senators Ihara, McCartney.

No. 545 "A BILL FOR AN ACT RELATING TO LEASEHOLDS."

Introduced by: Senators Ihara, McCartney.

No. 546 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senators Ihara, McCartney.

No. 547 "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT."

Introduced by: Senators Ihara, McCartney.

No. 548 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senators Ihara, McCartney.

No. 549 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senators Ihara, McCartney.

No. 550 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senators Ihara, McCartney.

No. 551 "A BILL FOR AN ACT RELATING TO ECOLOGY."

Introduced by: Senators McCartney, Ihara.

No. 552 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senators McCartney, Ihara.

No. 553 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators McCartney, Ihara.

No. 554 "A BILL FOR AN ACT RELATING TO HEALTH."

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No. 555 "A BILL FOR AN ACT RELATING TO HEALTH."

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No. 556 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators McCartney, Ihara.

No. 557 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators McCartney, Ihara.

No. 558 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators McCartney, Ihara.

No. 559 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senators McCartney, Ihara.

No. 560 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, McCartney.

No. 561 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, McCartney.

No. 562 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senators Ihara, McCartney.

No. 563 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Ihara, McCartney.

No. 564 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Ihara, McCartney.

No. 565 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Ihara, McCartney.

No. 566 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Ihara, McCartney.

No. 567 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Ihara, McCartney.

No. 568 "A BILL FOR AN ACT RELATING TO MEDQUEST."

Introduced by: Senators Ihara, McCartney.

No. 569 "A BILL FOR AN ACT RELATING TO THE ELDERLY."

Introduced by: Senators Ihara, McCartney.

No. 570 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Ihara, McCartney.

No. 571 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Ihara, McCartney.

No. 572 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Ihara, McCartney.

No. 573 "A BILL FOR AN ACT RELATING TO TRAINING."

Introduced by: Senators Ihara, McCartney.

No. 574 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 575 "A BILL FOR AN ACT RELATING TO CIVIL PROCEEDINGS."

Introduced by: Senators McCartney, Ihara.

No. 576 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Senators McCartney, Ihara.

No. 577 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators McCartney, Ihara.

No. 578 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators McCartney, Ihara.

No. 579 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators McCartney, Ihara.

No. 580 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators McCartney, Ihara.

No. 581 "A BILL FOR AN ACT RELATING TO MARRIAGE."

Introduced by: Senators McCartney, Ihara.

No. 582 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senators McCartney, Ihara.

No. 583 "A BILL FOR AN ACT RELATING TO PROBATE."

Introduced by: Senators McCartney, Ihara.

No. 584 "A BILL FOR AN ACT RELATING TO PROTECTIVE SERVICES."

Introduced by: Senators McCartney, Ihara.

No. 585 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators McCartney, Ihara.

No. 586 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators McCartney, Ihara.

No. 587 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."

Introduced by: Senators McCartney, Ihara.

No. 588 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senators McCartney, Ihara.

No. 589 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Senators McCartney, Ihara.

No. 590 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators McCartney, Ihara.

No. 591 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senators McCartney, Ihara.

No. 592 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Senators McCartney, Ihara.

No. 593 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senators Ihara, McCartney, Anderson.

No. 594 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 595 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 596 "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL AFFAIRS."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 597 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 598 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 599 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

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No. 600 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 601 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 602 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Senators McCartney, Ihara, Anderson.

No. 603 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senators Ihara, McCartney.

No. 604 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, McCartney.

No. 605 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, McCartney.

No. 606 "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS."

Introduced by: Senators Ihara, McCartney.

No. 607 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, McCartney.

No. 608 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Ihara, McCartney.

No. 609 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senators Ihara, McCartney.

No. 610 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Ihara, McCartney.

No. 611 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Senators Ihara, McCartney.

No. 612 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Ihara, McCartney.

No. 613 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senators Ihara, McCartney.

No. 614 "A BILL FOR AN ACT RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS."

Introduced by: Senators Ihara, McCartney.

No. 615 "A BILL FOR AN ACT RELATING TO FEES."

Introduced by: Senators Ihara, McCartney.

No. 616 "A BILL FOR AN ACT RELATING TO FUNDS."

Introduced by: Senators Ihara, McCartney.

No. 617 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS."

Introduced by: Senators Ihara, McCartney.

No. 618 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES AND PURCHASES OF SERVICE."

Introduced by: Senators Ihara, McCartney.

No. 619 "A BILL FOR AN ACT RELATING TO PUBLIC MONEY AND CONTRACTS."

Introduced by: Senators Ihara, McCartney.

No. 620 "A BILL FOR AN ACT RELATING TO SPECIAL AND REVOLVING FUNDS."

Introduced by: Senators Ihara, McCartney.

No. 621 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Senators Ihara, McCartney.

No. 622 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senators Ihara, McCartney.

No. 623 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Senators Ihara, McCartney.

No. 624 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Ihara, McCartney.

No. 625 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Ihara, McCartney.

No. 626 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senators Ihara, McCartney.

No. 627 "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE CEILING."

Introduced by: Senators Ihara, McCartney.

No. 628 "A BILL FOR AN ACT RELATING TO STATE REVENUES."

Introduced by: Senators Ihara, McCartney.

No. 629 "A BILL FOR AN ACT RELATING TO STATE REVENUES."

Introduced by: Senators Ihara, McCartney.

No. 630 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."

Introduced by: Senators Ihara, Matsunaga.

No. 631 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Senators Ihara, Fukunaga.

No. 632 "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT."

Introduced by: Senator Fernandes Salling.

No. 633 "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS."

Introduced by: Senator Fernandes Salling.

No. 634 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Senator Fernandes Salling.

No. 635 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Fernandes Salling.

No. 636 "A BILL FOR AN ACT RELATING TO HARBOR FEES."

Introduced by: Senator Fernandes Salling.

No. 637 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Fernandes Salling.

No. 638 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A FLIGHT TRAINER SIMULATOR."

Introduced by: Senator Fernandes Salling.

No. 639 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Fernandes Salling.

No. 640 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 641 "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION."

Introduced by: Senators Fernandes Salling, Solomon.

No. 642 "A BILL FOR AN ACT RELATING TO TAX RATES."



Introduced by: Senators Fernandes Salling, Fukunaga.

No. 643 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senator Baker.

No. 644 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senator Baker.

No. 645 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Baker.

No. 646 "A BILL FOR AN ACT RELATING TO EXPORTED SERVICES."

Introduced by: Senator Baker.

No. 647 "A BILL FOR AN ACT RELATING TO TORT LIABILITY."

Introduced by: Senators Baker, Taniguchi, Tanaka, Chumbley, Iwase.

No. 648 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BUSINESS RESEARCH LIBRARY."

Introduced by: Senators Baker, Tanaka, Taniguchi, Chumbley.

No. 649 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Baker, Chumbley, Ige, D.

No. 650 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Baker.

No. 651 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Baker.

No. 652 "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS."

Introduced by: Senator Baker.

No. 653 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senator Baker.

No. 654 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senator Baker.

No. 655 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS."

Introduced by: Senator Baker.

No. 656 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS."

Introduced by: Senator Baker.

No. 657 "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL."

Introduced by: Senators Baker, Ige, D., Taniguchi, Fukunaga, Levin, McCartney, Ihara.

No. 658 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senators Solomon, Baker, Bunda, Iwase, Levin, Tanaka.

No. 659 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII-HILO."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 660 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.

No. 661 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Solomon, Tanaka.

No. 662 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION."

Introduced by: Senators Solomon, Baker, Bunda, Iwase, Levin, Tanaka.

No. 663 "A BILL FOR AN ACT RELATING TO PROPERTY INSURANCE."

Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.

No. 664 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 665 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.

No. 666 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Solomon.

No. 667 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.

No. 668 "A BILL FOR AN ACT RELATING TO GATHERING RIGHTS."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 669 "A BILL FOR AN ACT RELATING TO SCHOOL CONSTRUCTION, REPAIR, AND MAINTENANCE."

Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.

No. 670 "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 671 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE RULES."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 672 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF NATURAL RESOURCES."

Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.

No. 673 "A BILL FOR AN ACT RELATING TO GAME MAMMALS."

Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.

No. 674 "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FORESTRY AND WILDLIFE RESOURCES."

Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.

No. 675 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.

No. 676 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 677 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 678 "A BILL FOR AN ACT RELATING TO AIRPORTS."

Introduced by: Senators Solomon, Bunda, Tanaka.

No. 679 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Senator Bunda.

No. 680 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Bunda.

No. 681 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Senator Bunda.

No. 682 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senator Bunda.

No. 683 "A BILL FOR AN ACT RELATING TO U-DRIVE MOTOR VEHICLE INSURANCE."

Introduced by: Senator Bunda.

No. 684 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES."

Introduced by: Senator Bunda.

No. 685 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES."

Introduced by: Senator Bunda.

No. 686 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES."

Introduced by: Senator Bunda.

No. 687 "A BILL FOR AN ACT RELATING TO WILDLIFE."

Introduced by: Senator Tanaka.

No. 688 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator Tanaka.

No. 689 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senator Tanaka.

No. 690 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE DISQUALIFICATIONS."

Introduced by: Senator Tanaka.

No. 691 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION FEES AND COSTS."

Introduced by: Senator Tanaka.

No. 692 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

Introduced by: Senator Tanaka.

No. 693 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS."

Introduced by: Senator Tanaka.

No. 694 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Senators Kanno, Chun Oakland, Levin.

No. 695 "A BILL FOR AN ACT RELATING TO THE CENTER FOR LABOR EDUCATION AND RESEARCH."

Introduced by: Senators Kanno, Chun Oakland, Chumbley, Fukunaga, Ige, D., Ihara, Matsunaga, McCartney, Mizuguchi, Taniguchi.

No. 696 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senator Kanno.

No. 697 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senator Kanno.

No. 698 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland.

No. 699 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."

- Introduced by: Senators Kawamoto, Kanno.
- No. 700 "A BILL FOR AN ACT RELATING TO BURIAL ASSISTANCE FOR FILIPINO VETERANS OF WORLD WAR II."
- Introduced by: Senators Kawamoto, Mizuguchi, Bunda.
- No. 701 "A BILL FOR AN ACT RELATING TO THE SALARY OF SUPREME COURT JUSTICES, INTERMEDIATE APPELLATE COURT JUDGES, CIRCUIT COURT JUDGES, AND DISTRICT COURT JUDGES."
- Introduced by: Senator Mizuguchi, by request.
- No. 702 "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION."
- Introduced by: Senator Mizuguchi, by request.
- No. 703 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF NOTARY RECORDS."
- Introduced by: Senator Mizuguchi, by request.
- No. 704 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF JUDICIARY RECORDS."
- Introduced by: Senator Mizuguchi, by request.
- No. 705 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS FOR THE JUDICIARY."
- Introduced by: Senator Mizuguchi, by request.
- No. 706 "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT."
- Introduced by: Senator Mizuguchi, by request.
- No. 707 "A BILL FOR AN ACT RELATING TO LAND COURT."
- Introduced by: Senator Mizuguchi, by request.
- No. 708 "A BILL FOR AN ACT RELATING TO TAX APPEAL COURT FEES."
- Introduced by: Senator Mizuguchi, by request.
- No. 709 "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS."
- Introduced by: Senator Mizuguchi, by request.
- No. 710 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."
- Introduced by: Senator Mizuguchi, by request.
- No. 711 "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS."
- Introduced by: Senator Mizuguchi, by request.
- No. 712 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senator Mizuguchi, by request.
- No. 713 "A BILL FOR AN ACT RELATING TO THE VEHICLE WEIGHT TAX."
- Introduced by: Senator Mizuguchi, by request.
- No. 714 "A BILL FOR AN ACT RELATING TO DRIVER LICENSING."
- Introduced by: Senator Mizuguchi, by request.
- No. 715 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."
- Introduced by: Senator Mizuguchi, by request.
- No. 716 "A BILL FOR AN ACT RELATING TO TRAFFIC CODES."
- Introduced by: Senator Mizuguchi, by request.
- No. 717 "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES."
- Introduced by: Senator Mizuguchi, by request.
- No. 718 "A BILL FOR AN ACT RELATING TO PRESENTENCE DIAGNOSIS AND REPORT."
- Introduced by: Senator Mizuguchi, by request.
- No. 719 "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY."
- Introduced by: Senator Mizuguchi, by request.
- No. 720 "A BILL FOR AN ACT RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE."
- Introduced by: Senator Mizuguchi, by request.
- No. 721 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."
- Introduced by: Senator Mizuguchi, by request.
- No. 722 "A BILL FOR AN ACT RELATING TO INCOME TAX."
- Introduced by: Senator Mizuguchi.
- No. 723 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."
- Introduced by: Senator Mizuguchi.
- No. 724 "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING ALL-NATURAL CLEAN ENERGY POWER STATION."
- Introduced by: Senator Mizuguchi, by request.
- No. 725 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Mizuguchi, by request.
- No. 726 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
- Introduced by: Senator Mizuguchi, by request.
- No. 727 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.
- No. 728 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."
- Introduced by: Senator Mizuguchi, by request.

No. 729 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 730 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Kanno, Chun Oakland.

No. 731 "A BILL FOR AN ACT RELATING TO THE WAGE AND HOUR LAW."

Introduced by: Senators Kanno, Chun Oakland.

No. 732 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Kanno, Chun Oakland.

No. 733 "A BILL FOR AN ACT RELATING TO VOTE COUNTS."

Introduced by: Senators Kanno, Chun Oakland.

No. 734 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS."

Introduced by: Senators Kanno, Chun Oakland.

No. 735 "A BILL FOR AN ACT RELATING TO THE STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICES."

Introduced by: Senators Kanno, Chun Oakland.

No. 736 "A BILL FOR AN ACT RELATING TO ARBITRATION."

Introduced by: Senators Kanno, Chun Oakland.

No. 737 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."

Introduced by: Senators Kanno, Chun Oakland.

No. 738 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS."

Introduced by: Senators Kanno, Chun Oakland.

No. 739 "A BILL FOR AN ACT RELATING TO LABOR EDUCATION."

Introduced by: Senators Kanno, Chun Oakland.

No. 740 "A BILL FOR AN ACT RELATING TO MEDICAL OPINIONS FOR INJURIES COVERED UNDER WORKERS' COMPENSATION INSURANCE."

Introduced by: Senator Kanno.

No. 741 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION MANAGEMENT."

Introduced by: Senator McCartney.

No. 742 "A BILL FOR AN ACT RELATING TO THE AHUPUA'A 'O KAHANA."

Introduced by: Senator McCartney.

No. 743 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator McCartney.

No. 744 "A BILL FOR AN ACT RELATING TO COURT ANNEXED ARBITRATION PROGRAM."

Introduced by: Senator McCartney.

No. 745 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ATHLETIC HEALTH CARE SPECIALISTS."

Introduced by: Senator McCartney.

No. 746 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU FOR THE 'NO HOPE IN DOPE' PROGRAM."

Introduced by: Senator McCartney.

No. 747 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator McCartney.

No. 748 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator McCartney.

No. 749 "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER."

Introduced by: Senator McCartney.

No. 750 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAHUKU HOSPITAL, OAHU."

Introduced by: Senators McCartney, Bunda.

No. 751 "A BILL FOR AN ACT RELATING TO FINES AND FORFEITURES."

Introduced by: Senator McCartney.

No. 752 "A BILL FOR AN ACT RELATING TO TORT REFORM."

Introduced by: Senator McCartney.

No. 753 "A BILL FOR AN ACT RELATING TO CHILD-CARE."

Introduced by: Senator McCartney.

No. 754 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator McCartney.

No. 755 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator McCartney.

No. 756 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSESSMENT AND ACCOUNTABILITY."

Introduced by: Senator McCartney.

No. 757 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."

Introduced by: Senator McCartney.

No. 758 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senator McCartney.

No. 759 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator McCartney.

No. 760 "A BILL FOR AN ACT RELATING TO SCHOOLS-WITHIN-SCHOOLS."

Introduced by: Senator McCartney.

No. 761 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator McCartney.

No. 762 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE TERM OF THE ATTORNEY GENERAL."

Introduced by: Senator McCartney.

No. 763 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTIONS 1 AND 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE TERM OF OFFICE OF THE GOVERNOR AND LIEUTENANT GOVERNOR AND TO LIMIT THE NUMBER OF TERMS FOR EACH OFFICE."

Introduced by: Senator McCartney.

No. 764 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES."

Introduced by: Senator McCartney.

No. 765 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator McCartney.

No. 766 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE II AND ARTICLE III OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR VOTER REFERENDUM."

Introduced by: Senator McCartney.

No. 767 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator McCartney.

No. 768 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Senator McCartney.

No. 769 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator McCartney.

No. 770 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senator McCartney.

No. 771 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator McCartney.

No. 772 "A BILL FOR AN ACT RELATING TO VOTING."

Introduced by: Senator McCartney.

No. 773 "A BILL FOR AN ACT RELATING TO AN ADULT DAY CARE TAX CREDIT."

Introduced by: Senator McCartney.

No. 774 "A BILL FOR AN ACT RELATING TO VOTER INFORMATION PAMPHLETS."

Introduced by: Senator McCartney.

No. 775 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII OF THE HAWAII CONSTITUTION TO REQUIRE NOT LESS THAN THIRTY-THREE PERCENT OF THE STATE'S GENERAL FUND REVENUES TO BE APPROPRIATED EACH FISCAL YEAR FOR USE IN THE PUBLIC SCHOOL SYSTEM."

Introduced by: Senator McCartney.

No. 776 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."

Introduced by: Senator McCartney.

No. 777 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator McCartney.

No. 778 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator McCartney.

No. 779 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Senator McCartney.

No. 780 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Senator McCartney.

No. 781 "A BILL FOR AN ACT RELATING TO RIDESHARING."

Introduced by: Senator McCartney.

No. 782 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION."

Introduced by: Senator McCartney.

No. 783 "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY."

Introduced by: Senator McCartney.

No. 784 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senator McCartney.

No. 785 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Senator McCartney.

No. 786 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator McCartney.

No. 787 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO GIVE VOTING AUTHORITY TO THE STUDENT REPRESENTATIVE ON THE BOARD OF EDUCATION."

Introduced by: Senator McCartney.

No. 788 "A BILL FOR AN ACT RELATING TO AN EDUCATIONAL INCENTIVE PROGRAM FOR PUBLIC SCHOOL TEACHERS."

Introduced by: Senator McCartney.

No. 789 "A BILL FOR AN ACT RELATING TO A CHILD CARE PROVIDER BOARD."

Introduced by: Senator McCartney.

No. 790 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."

Introduced by: Senator McCartney.

No. 791 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senator McCartney.

No. 792 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator McCartney.

No. 793 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Senator McCartney.

No. 794 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senator McCartney.

No. 795 "A BILL FOR AN ACT RELATING TO DOMESTIC PARTNERSHIPS."

Introduced by: Senator McCartney.

No. 796 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."

Introduced by: Senators Ihara, McCartney, Ige, D.

No. 797 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."

Introduced by: Senators Ihara, McCartney, Ige, D.

No. 798 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Senators Ihara, Fukunaga.

No. 799 "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES."

Introduced by: Senators Ihara, McCartney, Fernandes Salling, Fukunaga.

No. 800 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senator Levin, by request.

No. 801 "A BILL FOR AN ACT RELATING TO FAMILY VIOLENCE."

Introduced by: Senator Levin.

No. 802 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Levin, by request.

No. 803 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT COORDINATION."

Introduced by: Senator Levin.

No. 804 "A BILL FOR AN ACT RELATING TO CAREER CRIMINAL PROSECUTIONS."

Introduced by: Senator Levin.

No. 805 "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS."

Introduced by: Senator Levin, by request.

No. 806 "A BILL FOR AN ACT RELATING TO PERMITS IN THE CONSERVATION DISTRICT."

Introduced by: Senator Levin, by request.

No. 807 "A BILL FOR AN ACT RELATING TO PERMITS IN THE CONSERVATION DISTRICT."

Introduced by: Senator Levin, by request.

No. 808 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Senator Levin, by request.

No. 809 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS."

Introduced by: Senator Levin, by request.

No. 810 "A BILL FOR AN ACT RELATING TO JURY SELECTION."

Introduced by: Senator Levin.

No. 811 "A BILL FOR AN ACT RELATING TO MEDICAL TREATMENT DECISIONS."

Introduced by: Senators Chumbley, Tanaka, Baker, Matsunaga.

No. 812 "A BILL FOR AN ACT RELATING TO DISASTER AND EMERGENCY PREPAREDNESS TRUST FUND."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 813 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE."

Introduced by: Senators Chumbley, McCartney, Ige, D., Baker, Matsunaga.

No. 814 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chumbley, McCartney, Ige, D., Baker, Matsunaga.

No. 815 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE PEST CONTROL RESEARCH."

Introduced by: Senators Chumbley, Baker, Bunda, Tanaka.

No. 816 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Chumbley, Ige, D., Baker, McCartney, Matsunaga.

No. 817 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Chumbley, McCartney, Ige, D., Aki, Tam.

No. 818 "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING."

Introduced by: Senators Chumbley, Matsunaga.

No. 819 "A BILL FOR AN ACT RELATING TO COUNTY PROPERTY TAX ASSESSMENTS."

Introduced by: Senators Chumbley, Matsunaga.

No. 820 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 821 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 822 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE."

Introduced by: Senators Chumbley, Ige, D., Matsunaga, McCartney.

No. 823 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Chumbley.

No. 824 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Senators Chumbley, Matsunaga.

No. 825 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Senators Chumbley, Matsunaga.

No. 826 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF SCHOOL CHILDREN."

Introduced by: Senators Chumbley, McCartney, Tanaka, Baker, Ige, D., Matsunaga.

No. 827 "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS."

Introduced by: Senators Chumbley, McCartney, Tanaka, Baker, Ige, D., Matsunaga.

No. 828 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PLAN AND DEVELOP THE HAWAII GERIATRIC RESEARCH AND TRAINING CENTER AT KULA HOSPITAL."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 829 "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 830 "A BILL FOR AN ACT RELATING TO THE TAXATION OF CAPITAL GAINS."

Introduced by: Senators Chumbley, Matsunaga.

No. 831 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Matsunaga, Chumbley.

No. 832 "A BILL FOR AN ACT RELATING TO DRIVING RESTRICTIONS."

Introduced by: Senator Chumbley.

No. 833 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Matsunaga.

No. 834 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Matsunaga, Chumbley.

No. 835 "A BILL FOR AN ACT RELATING TO PHYSICIANS."

Introduced by: Senator Matsunaga.

No. 836 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."

Introduced by: Senators Matsunaga, Chumbley.

No. 837 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Senator Matsunaga, by request.

No. 838 "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION."

Introduced by: Senators Matsunaga, Chumbley.

No. 839 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Matsunaga, Chumbley.

No. 840 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsunaga, Chumbley.

No. 841 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."

Introduced by: Senator Matsunaga.

No. 842 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Senators Matsunaga, Chumbley.

No. 843 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION."

Introduced by: Senator Matsunaga.

No. 844 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 845 "A BILL FOR AN ACT RELATING TO COUNTY TAXES."

Introduced by: Senator Chumbley.

No. 846 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Senators Matsunaga, Chumbley.

No. 847 "A BILL FOR AN ACT RELATING TO HAWAII RULES OF EVIDENCE."

Introduced by: Senator Matsunaga.

No. 848 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION INCOME TAX CREDITS FOR ENERGY STORAGE SYSTEMS."

Introduced by: Senator Matsunaga.

No. 849 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PACON INTERNATIONAL."

Introduced by: Senator Matsunaga.

No. 850 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Senator Matsunaga.

No. 851 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ISSUANCE OF A REQUEST FOR PROPOSAL TO PROVIDE WEST BEACH, OAHU WITH SEA WATER AIR CONDITIONING, AND FOR ITS EVALUATION."

Introduced by: Senator Matsunaga.

No. 852 "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS."

Introduced by: Senator Matsunaga.

No. 853 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Sakamoto, Aki, Anderson, Bunda, Ige, M., Kawamoto, Matsunaga, McCartney.

No. 854 "A BILL FOR AN ACT RELATING TO THE HAWAII PORT AUTHORITY."

Introduced by: Senators Sakamoto, Aki, Anderson, Bunda, Ige, M., Kawamoto, Matsunaga, McCartney.

No. 855 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."

Introduced by: Senators Sakamoto, Aki, Anderson, Bunda, Ige, M., Kawamoto, Matsunaga, McCartney.

No. 856 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Sakamoto, Baker, Kanno, Kawamoto.

No. 857 "A BILL FOR AN ACT RELATING TO SCHOOL COLORS LICENSE PLATES."

Introduced by: Senators Sakamoto, Aki, Kanno, Kawamoto, McCartney, Slom.

No. 858 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FULL-TIME TEACHERS FOR THE DEPARTMENT OF EDUCATION'S COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senator Tam.

No. 859 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senator Tam.

No. 860 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Senator Tam.

No. 861 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO INCREASE THE NUMBER OF STUDENT MEMBERS ON THE BOARD OF EDUCATION."

Introduced by: Senators Tam, Aki.

No. 862 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO INCREASE THE NUMBER OF STUDENT MEMBERS ON THE BOARD OF EDUCATION FROM ONE TO SEVEN."

Introduced by: Senators Tam, Aki.

No. 863 "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE."

Introduced by: Senators Tam, Aki.

No. 864 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE FUNDING FOR SCHOOLS FOR SUPPLIES, EQUIPMENT, AND MAINTENANCE."

Introduced by: Senators Tam, Aki.

No. 865 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH SCHOOL BASED HEALTH CENTERS IN ALL PUBLIC SECONDARY SCHOOLS."

Introduced by: Senators Tam, Aki.

No. 866 "A BILL FOR AN ACT MAKING AN APPROPRIATION IN SUPPORT OF STUDENT ACTIVITIES IN PUBLIC SCHOOLS."

Introduced by: Senators Tam, Aki.

No. 867 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A TRANSITIONAL PROGRAM COORDINATOR IN ALL PUBLIC SECONDARY SCHOOLS."



- Introduced by: Senators Tam, Aki.
- No. 868 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Kawamoto, Matsunaga.
- No. 869 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."
- Introduced by: Senators Kawamoto, Matsunaga, Sakamoto.
- No. 870 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."
- Introduced by: Senators Kawamoto, Sakamoto, Iwase, Matsunaga.
- No. 871 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
- Introduced by: Senators Solomon, Baker, Bunda, Iwase, Tanaka.
- No. 872 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 873 "A BILL FOR AN ACT RELATING TO ASSISTANCE TO SMALL BUSINESSES."
- Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.
- No. 874 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION."
- Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.
- No. 875 "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 876 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 877 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE EMPLOYMENT."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 878 "A BILL FOR AN ACT RELATING TO THE PERIODIC SAFETY INSPECTION OF VEHICLES AND MOPEDS."
- Introduced by: Senators Solomon, Bunda, Tanaka.
- No. 879 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 880 "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 881 "A BILL FOR AN ACT RELATING TO HAWAII PROPERTY INSURANCE ASSOCIATION."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 882 "A BILL FOR AN ACT RELATING TO AN ELECTED INSURANCE COMMISSIONER."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 883 "A BILL FOR AN ACT RELATING TO RELOCATING THE OAHU OFFICES, PROGRAMS, AND FACILITIES OF THE DEPARTMENT OF AGRICULTURE TO THE ISLAND OF HAWAII."
- Introduced by: Senators Solomon, Bunda, Iwase, Levin, Tanaka.
- No. 884 "A BILL FOR AN ACT RELATING TO JOB OPPORTUNITIES FOR WELFARE RECIPIENTS."
- Introduced by: Senators Solomon, Baker, Bunda, Iwase, Levin, Tanaka.
- No. 885 "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE EMPLOYMENT."
- Introduced by: Senators Solomon, Baker, Bunda, Iwase, Levin, Tanaka.
- No. 886 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."
- Introduced by: Senators Solomon, Baker, Iwase.
- No. 887 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."
- Introduced by: Senators Solomon, Baker, Bunda, Levin, Tanaka.
- No. 888 "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS."
- Introduced by: Senators Solomon, Baker, Bunda, Iwase, Tanaka.
- No. 889 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
- Introduced by: Senators Solomon, Baker, Bunda, Tanaka.
- No. 890 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
- Introduced by: Senators Solomon, Bunda, Iwase, Tanaka.
- No. 891 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
- Introduced by: Senators Solomon, Bunda, Tanaka.
- No. 892 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BUSINESS INCUBATOR FOR SCIENCE AND TECHNOLOGY WITHIN THE UNIVERSITY OF HAWAII AT HILO PARK."
- Introduced by: Senators Solomon, Levin.
- No. 893 "A BILL FOR AN ACT RELATING TO MAUNA KEA."
- Introduced by: Senator Solomon.
- No. 894 "A BILL FOR AN ACT RELATING TO GAME MANAGEMENT."

- Introduced by: Senator Solomon.
- No. 895 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."  
Introduced by: Senator Solomon.
- No. 896 "A BILL FOR AN ACT RELATING TO HIGHWAYS."  
Introduced by: Senator Solomon.
- No. 897 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR URGENT CARE."  
Introduced by: Senators Solomon, Bunda.
- No. 898 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."  
Introduced by: Senators Solomon, Sakamoto, Aki, Baker, Iwase, Kawamoto, McCartney, Tanaka.
- No. 899 "A BILL FOR AN ACT RELATING TO THE WOMEN'S COMMUNITY CORRECTIONAL CENTER."  
Introduced by: Senator Ige, M.
- No. 900 "A BILL FOR AN ACT RELATING TO THE EXPANSION OF THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AT OLOMANA, OAHU."  
Introduced by: Senator Ige, M.
- No. 901 "A BILL FOR AN ACT RELATING TO THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AT OLOMANA, OAHU."  
Introduced by: Senator Ige, M.
- No. 902 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS."  
Introduced by: Senator Ige, M.
- No. 903 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."  
Introduced by: Senator Ige, M.
- No. 904 "A BILL FOR AN ACT RELATING TO SCHOOL REPAIRS AND MAINTENANCE."  
Introduced by: Senator Ige, M.
- No. 905 "A BILL FOR AN ACT RELATING TO PREFERENCE FOR PURCHASING SERVICES OF THE HANDICAPPED."  
Introduced by: Senator Ige, M.
- No. 906 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."  
Introduced by: Senator Ige, M.
- No. 907 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."  
Introduced by: Senator Ige, M.
- No. 908 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Ige, M.
- No. 909 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Senator Ige, M.
- No. 910 "A BILL FOR AN ACT RELATING TO PROCUREMENT."  
Introduced by: Senator Ige, M.
- No. 911 "A BILL FOR AN ACT RELATING TO LONG-TERM CAPITAL GAINS TAX."  
Introduced by: Senator Fukunaga.
- No. 912 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII DEFINING MARRIAGE IN THE STATE OF HAWAII."  
Introduced by: Senators Anderson, Slom.
- No. 913 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMPARATIVE COST/BENEFIT ECONOMIC STUDY OF THE MARITIME REGULATORY REGIMES' EFFECTS ON HAWAII."  
Introduced by: Senators Anderson, Kawamoto, Sakamoto, Fernandes Salling.
- No. 914 "A BILL FOR AN ACT RELATING TO A MOTOR VEHICLE INSURANCE SYSTEM."  
Introduced by: Senator Anderson.
- No. 915 "A BILL FOR AN ACT RELATING TO THE REPEAL OF THE CAPITAL GAINS TAX."  
Introduced by: Senators Anderson, Slom.
- No. 916 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HUMAN RESOURCES SYSTEM IN EDUCATION."  
Introduced by: Senators Tam, Aki.
- No. 917 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUCCESS COMPACT AND OTHER LITERACY INITIATIVES."  
Introduced by: Senators Tam, Aki.
- No. 918 "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY."  
Introduced by: Senators Tam, Aki.
- No. 919 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEARNING OPPORTUNITY ACADEMIES."  
Introduced by: Senators Tam, Aki.
- No. 920 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YEAR-ROUND/MULTI-TRACK EDUCATION."  
Introduced by: Senators Tam, Aki.
- No. 921 "A BILL FOR AN ACT RELATING TO PERSONNEL IN THE DEPARTMENT OF EDUCATION."  
Introduced by: Senators Tam, Aki.

No. 922 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STAFFING FOR SPECIAL EDUCATION IN REGULAR SCHOOLS."

Introduced by: Senators Tam, Aki.

No. 923 "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSESSMENT AND ACCOUNTABILITY."

Introduced by: Senators Tam, Aki.

No. 924 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CONTENT AND PERFORMANCE STANDARDS."

Introduced by: Senators Tam, Aki.

No. 925 "A BILL FOR AN ACT RELATING TO PERSONNEL IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Tam, Aki.

No. 926 "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 927 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 928 "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 929 "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 930 "A BILL FOR AN ACT RELATING TO THE INCOME TAX CREDIT."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 931 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 932 "A BILL FOR AN ACT RELATING TO THE WHOLESALE SERVICES."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 933 "A BILL FOR AN ACT RELATING TO GROSS RECEIPT SPLITTING FOR GENERAL EXCISE TAX PURPOSES."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 934 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 935 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 936 "A BILL FOR AN ACT RELATING TO USE TAX ON IMPORTED SERVICES."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 937 "A BILL FOR AN ACT RELATING TO CAPITAL GAINS."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 938 "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 939 "A BILL FOR AN ACT RELATING TO DEFERRED TAX TREATMENT."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 940 "A BILL FOR AN ACT RELATING TO PAYMENT OF INCOME TAXES."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 941 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, TO ESTABLISH A BUDGET STABILIZATION FUND."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 942 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BICYCLE EDUCATION."

Introduced by: Senators Chun Oakland, Kawamoto.

No. 943 "A BILL FOR AN ACT RELATING TO WELFARE."

Introduced by: Senators Chun Oakland, Kanno.

No. 944 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senators Chun Oakland, Kanno, Aki, Bunda, Ige, M., Iwase, Kawamoto, Levin, Matsunaga, Tam, Tanaka, Taniguchi.

No. 945 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Senators Chumbley, Matsunaga, Kanno, Chun Oakland, Sakamoto, McCartney, Fukunaga, Levin, Ihara, Aki.

No. 946 "A BILL FOR AN ACT RELATING TO TRAINING AND EDUCATION FOR RECIPIENTS OF PUBLIC ASSISTANCE."

Introduced by: Senators Kanno, Chumbley.

No. 947 "A BILL FOR AN ACT RELATING TO THE STATEWIDE PRESCHOOL OPEN DOORS EARLY CHILDHOOD EDUCATION AND CHILD CARE PROGRAM."

Introduced by: Senators Chun Oakland, Ihara, Kanno, Aki, Sakamoto, McCartney, Fukunaga, Levin, Chumbley, Matsunaga.

No. 948 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Fukunaga, McCartney, Levin, Matsunaga, Chumbley, Ihara.

No. 949 "A BILL FOR AN ACT RELATING TO EXEMPTION FROM THE GENERAL EXCISE TAX FOR EMPLOYERS EMPLOYING RECIPIENTS OF PUBLIC ASSISTANCE."

Introduced by: Senators Chun Oakland, Kanno, Sakamoto, Levin, Chumbley, McCartney, Matsunaga, Aki, Ihara.

No. 950 "A BILL FOR AN ACT RELATING TO A YOUTH ACTIVITIES PROGRAM."

Introduced by: Senators Chun Oakland, Fukunaga, Kanno, Levin, Sakamoto, Matsunaga, McCartney, Chumbley, Ihara.

No. 951 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DATA WAREHOUSE PROJECT AND THE EDUCATIONAL PROCESSES SYSTEM."

Introduced by: Senators Ige, D., Fukunaga.

No. 952 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Ige, D., Baker, Chun Oakland.

No. 953 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS."

Introduced by: Senator Ige, D.

No. 954 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH QUEST PROGRAM."

Introduced by: Senator Ige, D.

No. 955 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Senator Ige, D.

No. 956 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senators Ige, D., Chun Oakland, Matsunaga, McCartney.

No. 957 "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION."

Introduced by: Senators Ige, D., Baker.

No. 958 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE."

Introduced by: Senators Ige, D., Baker.

No. 959 "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT."

Introduced by: Senators Ige, D., Baker.

No. 960 "A BILL FOR AN ACT RELATING TO THE UNIFORM STATUTE AND RULE CONSTRUCTION ACT."

Introduced by: Senators Ige, D., Baker.

No. 961 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."

Introduced by: Senators Ige, D., Fukunaga.

No. 962 "A BILL FOR AN ACT RELATING TO VOLUNTEERS."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 963 "A BILL FOR AN ACT RELATING TO PARAPROFESSIONAL EMPLOYEES IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 964 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE IV, SECTIONS 2, 4, 5, AND 6, AND ARTICLE X, SECTION 2, OF THE CONSTITUTION OF THE STATE OF HAWAII TO MANDATE THE ELECTION OF BOARD OF EDUCATION MEMBERS FROM THIRTEEN SINGLE-MEMBER DISTRICTS."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 965 "A BILL FOR AN ACT RELATING TO SCHOOL SUPPORT STAFF."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 966 "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 967 "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS."

Introduced by: Senators Ige, D., Chumbley, McCartney.

No. 968 "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 969 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 970 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 971 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 972 "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 973 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 974 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney.

No. 975 "A BILL FOR AN ACT RELATING TO SERVICES FOR PUBLIC SCHOOLS."

Introduced by: Senators Ige, D., Chumbley, McCartney.

No. 976 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 977 "A BILL FOR AN ACT RELATING TO SCHOOL REFORM."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 978 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 979 "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 980 "A BILL FOR AN ACT RELATING TO PRIVATE SCHOOLS."

Introduced by: Senators Ige, D., Chumbley, McCartney.

No. 981 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Ige, D., Chumbley, McCartney, Aki.

No. 982 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Ige, D., by request.

No. 983 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII GRADUATES."

Introduced by: Senator Ige, D., by request.

No. 984 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Ige, D.

No. 985 "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE."

Introduced by: Senators Ige, D., Baker.

No. 986 "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS."

Introduced by: Senator Chumbley.

No. 987 "A BILL FOR AN ACT RELATING TO VOLUNTEERS."

Introduced by: Senators Chumbley, Ige, D., McCartney, Matsunaga.

No. 988 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Senator Chumbley.

No. 989 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Chumbley.

No. 990 "A BILL FOR AN ACT RELATING TO YOUTH."

Introduced by: Senators Chumbley, Fernandes Salling.

No. 991 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Chumbley, Matsunaga, McCartney, Sakamoto, Kawamoto, Ige, D.

No. 992 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Chumbley, Baker, Tanaka.

No. 993 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INNOVATIONS IN ART EDUCATION."

Introduced by: Senator Tam.

No. 994 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MIDDLE SCHOOLS."

Introduced by: Senator Tam.

No. 995 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE TECHNOLOGY IN EDUCATION."

Introduced by: Senator Tam.

No. 996 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL LOCAL AREA NETWORK."

Introduced by: Senator Tam.

No. 997 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WIDE AREA NETWORK TECHNOLOGY IN EDUCATION."

Introduced by: Senator Tam.

No. 998 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SCHOOL DATA RETRIEVAL SYSTEM."

Introduced by: Senator Tam.

No. 999 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ELECTRONIC SCHOOLS."

Introduced by: Senator Tam.

No. 1000 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Tam.

No. 1001 "A BILL FOR AN ACT RELATING TO ANIMALS."

- Introduced by: Senator Taniguchi, by request.
- No. 1002 "A BILL FOR AN ACT RELATING TO THE PRIMARY AND GENERAL ELECTIONS OF THE OFFICE OF HAWAIIAN AFFAIRS."
- Introduced by: Senator Taniguchi, by request.
- No. 1003 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."
- Introduced by: Senator Taniguchi.
- No. 1004 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS FOR AFFORDABLE HOUSING."
- Introduced by: Senator Taniguchi.
- No. 1005 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS PROMOTION."
- Introduced by: Senators Taniguchi, Kawamoto, Tanaka.
- No. 1006 "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS."
- Introduced by: Senator Taniguchi, by request.
- No. 1007 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Taniguchi.
- No. 1008 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."
- Introduced by: Senator Taniguchi.
- No. 1009 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."
- Introduced by: Senator Taniguchi.
- No. 1010 "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS."
- Introduced by: Senator Taniguchi.
- No. 1011 "A BILL FOR AN ACT RELATING TO TAX."
- Introduced by: Senator Taniguchi.
- No. 1012 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."
- Introduced by: Senators Tanaka, Taniguchi.
- No. 1013 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH."
- Introduced by: Senator Taniguchi.
- No. 1014 "A BILL FOR AN ACT RELATING TO AGRICULTURE."
- Introduced by: Senator Taniguchi.
- No. 1015 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."
- Introduced by: Senator Taniguchi.
- No. 1016 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."
- Introduced by: Senator Taniguchi.
- No. 1017 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Taniguchi.
- No. 1018 "A BILL FOR AN ACT RELATING TO TAX."
- Introduced by: Senator Taniguchi.
- No. 1019 "A BILL FOR AN ACT RELATING TO SECURITIES."
- Introduced by: Senators Taniguchi, Fukunaga.
- No. 1020 "A BILL FOR AN ACT RELATING TO TOBACCO."
- Introduced by: Senator Taniguchi, by request.
- No. 1021 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- Introduced by: Senator Taniguchi, by request.
- No. 1022 "A BILL FOR AN ACT RELATING TO PARENT-TEACHER CONFERENCES."
- Introduced by: Senator Taniguchi.
- No. 1023 "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS."
- Introduced by: Senator Taniguchi.
- No. 1024 "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY TAX."
- Introduced by: Senators Slom, Sakamoto, Aki.
- No. 1025 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."
- Introduced by: Senator Slom.
- No. 1026 "A BILL FOR AN ACT RELATING TO INCOME TAXES."
- Introduced by: Senators Slom, Aki.
- No. 1027 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING PAYROLL TAX."
- Introduced by: Senators Slom, Aki.
- No. 1028 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senators Fernandes Salling, Fukunaga.
- No. 1029 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."
- Introduced by: Senators Fernandes Salling, Fukunaga.
- No. 1030 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."
- Introduced by: Senator Fernandes Salling.

No. 1031 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE RENTALS."

Introduced by: Senator Fernandes Salling.

No. 1032 "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS."

Introduced by: Senators Chun Oakland, Fernandes Salling.

No. 1033 "A BILL FOR AN ACT RELATING TO GARNISHMENT."

Introduced by: Senator Matsunaga.

No. 1034 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senators Matsunaga, Taniguchi.

No. 1035 "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION INCOME TAX CREDITS."

Introduced by: Senators Matsunaga, Taniguchi.

No. 1036 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR PRIVATE SECTOR PARTICIPATION IN THE DEVELOPMENT OF A MAHIMAHI MARICULTURE INDUSTRY IN HAWAII."

Introduced by: Senators Matsunaga, Taniguchi.

No. 1037 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SPECIAL PROSECUTION UNITS AND VICTIM WITNESS PROGRAMS FOR THE COUNTIES."

Introduced by: Senators Matsunaga, Chumbley.

No. 1038 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Matsunaga, Chumbley.

No. 1039 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HONOLULU POLICE DEPARTMENT FOR COSTS TO BE INCURRED SERVING AS THE STATE OF HAWAII CONTROL TERMINAL AGENCY FOR THE NATIONWIDE CRIMINAL JUSTICE INFORMATION SYSTEMS, AND TO IMPLEMENT THE NEW NCIC 2000 SYSTEM."

Introduced by: Senators Matsunaga, Chumbley.

No. 1040 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senators Matsunaga, Chumbley.

No. 1041 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senators Matsunaga, Chumbley.

No. 1042 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE."

Introduced by: Senators Chumbley, Sakamoto, Slom.

No. 1043 "A BILL FOR AN ACT RELATING TO CRIME LABORATORY SERVICE ASSESSMENT FEE."

Introduced by: Senators Matsunaga, Chumbley.

No. 1044 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR JUDICIARY PROGRAMS."

Introduced by: Senator Kanno.

No. 1045 "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES."

Introduced by: Senator Kanno.

No. 1046 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY."

Introduced by: Senator Kanno, by request.

No. 1047 "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS."

Introduced by: Senator Kanno.

No. 1048 "A BILL FOR AN ACT RELATING TO REPEAT OFFENDERS."

Introduced by: Senator Kanno, by request.

No. 1049 "A BILL FOR AN ACT RELATING TO MEDICAL REPORT VIOLATIONS UNDER WORKERS' COMPENSATION INSURANCE."

Introduced by: Senator Kanno.

No. 1050 "A BILL FOR AN ACT RELATING TO DEATH BENEFITS COVERED UNDER WORKERS' COMPENSATION INSURANCE."

Introduced by: Senator Kanno.

No. 1051 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES."

Introduced by: Senator Bunda, by request.

No. 1052 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Levin, Mizuguchi, Ihara, Kanno, McCartney, Solomon.

No. 1053 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Baker, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Mizuguchi, Ihara, Kanno, McCartney, Solomon.

No. 1054 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Fukunaga, Chun Oakland, Baker, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Levin, Mizuguchi, Ihara, Kanno, McCartney, Solomon.

No. 1055 "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER."

Introduced by: Senators Chun Oakland, Baker, Fukunaga, Fernandes Salling, Matsunaga, Chumbley, Levin, Mizuguchi, Ihara, Kanno, McCartney, Solomon, Taniguchi.

No. 1056 "A BILL FOR AN ACT RELATING TO THE PREVENTION OF PHYSICAL AND SEXUAL VIOLENCE."

Introduced by: Senators Chun Oakland, Fukunaga, Baker, Fernandes Salling, Matsunaga, Chumbley, Levin, Mizuguchi, Ihara, Kanno, McCartney, Taniguchi, Solomon.

No. 1057 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES."

Introduced by: Senators Chun Oakland, Fukunaga, Baker, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Levin, Mizuguchi, Ihara, Kanno, McCartney, Solomon.

No. 1058 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senators Fukunaga, Chun Oakland, Baker, Fernandes Salling, Matsunaga, Chumbley, Levin, Mizuguchi, Ihara, Kanno, Solomon, McCartney, Taniguchi.

No. 1059 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Senators Fukunaga, Baker, Chun Oakland, Fernandes Salling, Matsunaga, Chumbley, Mizuguchi, Ihara, Levin, Kanno, McCartney, Solomon, Taniguchi.

No. 1060 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Ihara, Levin, Mizuguchi, Kanno, McCartney, Solomon.

No. 1061 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Senators Baker, Chun Oakland, Fukunaga, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Levin, Mizuguchi, Ihara, Kanno, McCartney, Solomon.

No. 1062 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Senators Chun Oakland, Fukunaga, Baker, Fernandes Salling, Matsunaga, Chumbley, Taniguchi, Mizuguchi, Iwase, Kanno, McCartney, Solomon.

No. 1063 "A BILL FOR AN ACT RELATING TO THE PRIMARY ELECTION DATE."

Introduced by: Senator Mizuguchi, by request.

No. 1064 "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1065 "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES."

Introduced by: Senator Mizuguchi, by request.

No. 1066 "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS."

Introduced by: Senator Mizuguchi, by request.

No. 1067 "A BILL FOR AN ACT RELATING TO ELECTION RECOUNTS."

Introduced by: Senator Mizuguchi, by request.

No. 1068 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1069 "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS."

Introduced by: Senator Mizuguchi, by request.

No. 1070 "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS."

Introduced by: Senator Mizuguchi, by request.

No. 1071 "A BILL FOR AN ACT RELATING TO THE OPENING OF THE ABSENTEE POLLING PLACE."

Introduced by: Senator Mizuguchi, by request.

No. 1072 "A BILL FOR AN ACT RELATING TO ACCESS TO VOTER REGISTRATION AFFIDAVITS, LISTS, AND REGISTER."

Introduced by: Senator Mizuguchi, by request.

No. 1073 "A BILL FOR AN ACT RELATING TO ELECTION RECORDS AND USES THEREOF."

Introduced by: Senator Mizuguchi, by request.

No. 1074 "A BILL FOR AN ACT RELATING TO RESIDENCE ADDRESS CONFIDENTIALITY."

Introduced by: Senator Mizuguchi, by request.

No. 1075 "A BILL FOR AN ACT RELATING TO CONTESTS FOR CAUSE."

Introduced by: Senator Mizuguchi, by request.

No. 1076 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO EXPAND THE D.A.R.E. PROGRAM."

Introduced by: Senator Mizuguchi.

No. 1077 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES."

Introduced by: Senator Mizuguchi, by request.

No. 1078 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS."

Introduced by: Senator Mizuguchi, by request.

No. 1079 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DETAILED HYDROLOGICAL AND FEASIBILITY STUDY TO IDENTIFY SPECIFIC WATER RESOURCES IN SOUTH KONA."

Introduced by: Senator Levin.

No. 1080 "A BILL FOR AN ACT RELATING TO HUNTERS."

Introduced by: Senator Levin, by request.

No. 1081 "A BILL FOR AN ACT RELATING TO CONSERVATION AND RESOURCES."

Introduced by: Senator Levin, by request.

No. 1082 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."



Introduced by: Senator Levin, by request.

No. 1083 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Levin, by request.

No. 1084 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."

Introduced by: Senator Levin.

No. 1085 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Levin.

No. 1086 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Levin, McCartney, Chun Oakland, Anderson, Bunda, Chumbley, Fukunaga, Ihara, Kawamoto, Sakamoto, Slom, Taniguchi.

No. 1087 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Levin, by request.

No. 1088 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Levin, by request.

No. 1089 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Senator Levin, by request.

No. 1090 "A BILL FOR AN ACT RELATING TO WILDLIFE."

Introduced by: Senator Levin.

No. 1091 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

Introduced by: Senator Levin.

No. 1092 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOLUNTEER CIVIL LEGAL SERVICES FOR LOW-INCOME PERSONS."

Introduced by: Senators Chun Oakland, Matsunaga.

No. 1093 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MATCHING FUNDS FOR THE FEDERAL AMERICORPS GRANT FOR THE STUDENTS AND ADVOCATES FOR VICTIMS OF DOMESTIC VIOLENCE PROGRAM."

Introduced by: Senators Chun Oakland, Matsunaga.

No. 1094 "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES."

Introduced by: Senators Chun Oakland, Matsunaga.

No. 1095 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE."

Introduced by: Senator Chun Oakland.

No. 1096 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE."

Introduced by: Senator Chun Oakland.

No. 1097 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE."

Introduced by: Senator Chun Oakland.

No. 1098 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE."

Introduced by: Senator Chun Oakland.

No. 1099 "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO THE PARENT-COMMUNITY NETWORKING CENTERS AND THE FAMILIES FOR R.E.A.L. PROGRAM."

Introduced by: Senators Chun Oakland, Ige, D., Aki, Fernandes Salling.

No. 1100 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Senators Chun Oakland, Kanno, Ihara, McCartney.

No. 1101 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."

Introduced by: Senator Ihara, by request.

No. 1102 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."

Introduced by: Senator Ihara, by request.

No. 1103 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."

Introduced by: Senator Ihara, by request.

No. 1104 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."

Introduced by: Senator Ihara, by request.

No. 1105 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."

Introduced by: Senator Ihara, by request.

No. 1106 "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES."

Introduced by: Senator Ihara, by request.

No. 1107 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senators Ihara, Fukunaga.

No. 1108 "A BILL FOR AN ACT RELATING TO WRESTLING."

Introduced by: Senator Ihara, by request.

No. 1109 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Senator Ihara, by request.

No. 1110 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Baker, Ige, D.

No. 1111 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Baker.

No. 1112 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT EXISTING NATIONALLY AND INTERNATIONALLY TELEVISED GOLF EVENTS IN HAWAII."

Introduced by: Senators Baker, Chumbley.

No. 1113 "A BILL FOR AN ACT RELATING TO FORECLOSURES."

Introduced by: Senators Baker, Ige, D.

No. 1114 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Senators Baker, Ige, D.

No. 1115 "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE."

Introduced by: Senators Baker, Ige, D.

No. 1116 "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER."

Introduced by: Senators Baker, Ige, D., Taniguchi.

No. 1117 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Senators Baker, Ige, D.

No. 1118 "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS."

Introduced by: Senators Baker, Ige, D.

No. 1119 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Senators Sakamoto, Slom, Aki.

No. 1120 "A BILL FOR AN ACT RELATING TO VENTURE CAPITAL INVESTMENTS."

Introduced by: Senators Sakamoto, Aki, Chumbley, Chun Oakland, Slom.

No. 1121 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Sakamoto, Slom.

No. 1122 "A BILL FOR AN ACT RELATING TO NOISE POLLUTION."

Introduced by: Senators Sakamoto, Slom, Aki.

No. 1123 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senators Sakamoto, Chun Oakland, Slom, Levin.

No. 1124 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Sakamoto, Slom, Aki.

No. 1125 "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY."

Introduced by: Senators Sakamoto, Chun Oakland, Slom, Aki, Chumbley.

No. 1126 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."

Introduced by: Senators Sakamoto, Slom, Aki.

No. 1127 "A BILL FOR AN ACT RELATING TO IDENTIFICATION."

Introduced by: Senators Sakamoto, Chumbley.

No. 1128 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

#### ADJOURNMENT

At 8:00 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Tuesday, January 21, 1997.

## FOURTH DAY

Tuesday, January 21, 1997

Offered by: Senator Chun Oakland.

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 9:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Dean W. Kouldukis, Saints Constantine and Helen Greek Orthodox Church, after which the Roll was called showing all Senators present with the exception of Senators Chun Oakland and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Third Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 94 to 96) were read by the Clerk and were placed on file:

Gov. Msg. No. 94, dated January 10, 1997, transmitting the Report on the Establishment and Development of a Hawaiian Language College at the University of Hawaii at Hilo, prepared by the University of Hawaii pursuant to Act 254, SLH 1996.

Gov. Msg. No. 95, dated January 10, 1997, transmitting a Report on Periodic Review of All UH Programs Relative to Benchmarks, prepared by the University of Hawaii pursuant to Act 161, Section 2, SLH 1995.

Gov. Msg. No. 96, dated January 10, 1997, transmitting a report prepared by the Department of Agriculture pursuant to Act 281, Section 4, SLH 1996, on the increase in the minimum annual pesticide licensing fee.

## HOUSE COMMUNICATION

Hse. Com. No. 3, returning S.C.R. No. 1, which was adopted by the House of Representatives on January 16, 1997, was read by the Clerk and was placed on file.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 to 4) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF PAY SUPPLEMENTS BY INCREMENTS FOR LENGTH OF CONTINUOUS CREDITABLE JUDICIAL SERVICE TO THE STATE."

Offered by: Senator Mizuguchi, by request.

No. 3 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO SUBMIT TO THE LEGISLATURE FOR REVIEW A DRAFT OF THE STATE WELFARE PLAN INTENDED FOR SUBMITTAL TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSUANT TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 (PUBLIC LAW 104-193) BEFORE MARCH 31, 1997."

Offered by: Senators Chun Oakland, Kanno, Sakamoto, McCartney, Levin, Chumbley, Matsunaga, Ihara.

No. 4 "SENATE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON PERSONS WITH DISABILITIES TO STUDY WAYS TO INCREASE ACCESSIBILITY TO PUBLIC BUILDINGS AND FACILITIES FOR PERSONS WITH DISABILITIES."

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Friday, January 17, 1997:

Senate Bill	Referred to:
No. 257	Committee on Human Resources, then to the Committee on Ways and Means
No. 258	Committee on Human Resources, then to the Committee on Ways and Means
No. 259	Committee on Human Resources
No. 260	Committee on Human Resources
No. 261	Committee on Judiciary
No. 262	Committee on Health and Environment, then to the Committee on Ways and Means
No. 263	Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 264	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 265	Committee on Judiciary
No. 266	Committee on Education, then to the Committee on Ways and Means
No. 267	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 268	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 269	Committee on Education, then to the Committee on Ways and Means
No. 270	Committee on Education, then to the Committee on Ways and Means
No. 271	Committee on Judiciary
No. 272	Committee on Economic Development, then to the Committee on Ways and Means
No. 273	Committee on Education, then to the Committee on Ways and Means
No. 274	Committee on Judiciary
No. 275	Committee on Ways and Means
No. 276	Committee on Judiciary, then to the Committee on Ways and Means
No. 277	Committee on Health and Environment, then to the Committee on Ways and Means
No. 278	Committee on Human Resources

No. 279	Committee on Human Resources, then to the Committee on Judiciary	No. 306	Committee on Judiciary
No. 280	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 307	Committee on Judiciary
No. 281	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 308	Committee on Judiciary
No. 282	Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means	No. 309	Committee on Judiciary
No. 283	Committee on Education, then to the Committee on Ways and Means	No. 310	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 284	Committee on Education, then to the Committee on Ways and Means	No. 311	Committee on Judiciary
No. 285	Committee on Judiciary	No. 312	Committee on Judiciary
No. 286	Committee on Judiciary, then to the Committee on Ways and Means	No. 313	Committee on Judiciary
No. 287	Committee on Judiciary	No. 314	Committee on Judiciary
No. 288	Committee on Judiciary	No. 315	Committee on Judiciary
No. 289	Committee on Judiciary	No. 316	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 290	Committee on Judiciary, then to the Committee on Ways and Means	No. 317	Committee on Judiciary
No. 291	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means	No. 318	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 292	Committee on Judiciary, then to the Committee on Ways and Means	No. 319	Committee on Judiciary
No. 293	Committee on Judiciary	No. 320	Committee on Judiciary
No. 294	Committee on Judiciary, then to the Committee on Ways and Means	No. 321	Committee on Judiciary
No. 295	Committee on Judiciary, then to the Committee on Ways and Means	No. 322	Committee on Judiciary
No. 296	Committee on Judiciary	No. 323	Committee on Judiciary
No. 297	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 324	Committee on Judiciary
No. 298	Committee on Judiciary	No. 325	Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 299	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 326	Committee on Judiciary
No. 300	Committee on Transportation and Intergovernmental Affairs	No. 327	Jointly to the Committee on Education and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 301	Committee on Judiciary	No. 328	Committee on Judiciary
No. 302	Committee on Commerce, Consumer Protection, and Information Technology	No. 329	Committee on Judiciary
No. 303	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 330	Committee on Judiciary, then to the Committee on Ways and Means
No. 304	Committee on Judiciary	No. 331	Committee on Judiciary
No. 305	Committee on Judiciary	No. 332	Committee on Judiciary, then to the Committee on Ways and Means
		No. 333	Committee on Judiciary
		No. 334	Committee on Judiciary, then to the Committee on Ways and Means
		No. 335	Committee on Judiciary
		No. 336	Committee on Judiciary, then to the Committee on Ways and Means
		No. 337	Committee on Judiciary
		No. 338	Committee on Judiciary

- No. 339 Jointly to the Committee on Judiciary and the Committee on Education, then to the Committee on Ways and Means
- No. 340 Committee on Judiciary
- No. 341 Committee on Judiciary
- No. 342 Committee on Judiciary
- No. 343 Committee on Judiciary
- No. 344 Committee on Judiciary
- No. 345 Committee on Judiciary
- No. 346 Committee on Judiciary
- No. 347 Committee on Judiciary, then to the Committee on Ways and Means
- No. 348 Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 349 Committee on Education, then to the Committee on Ways and Means
- No. 350 Committee on Education, then to the Committee on Ways and Means
- No. 351 Committee on Education, then to the Committee on Ways and Means
- No. 352 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 353 Committee on Education, then to the Committee on Judiciary
- No. 354 Jointly to the Committee on Health and Environment and the Committee on Education, then to the Committee on Ways and Means
- No. 355 Committee on Judiciary
- No. 356 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 357 Committee on Economic Development, then to the Committee on Ways and Means
- No. 358 Committee on Education, then to the Committee on Ways and Means
- No. 359 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 360 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 361 Committee on Education, then to the Committee on Ways and Means
- No. 362 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 363 Committee on Judiciary
- No. 364 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 365 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 366 Committee on Human Resources, then to the Committee on Ways and Means
- No. 367 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 368 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 369 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 370 Committee on Human Resources, then to the Committee on Ways and Means
- No. 371 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 372 Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 373 Committee on Health and Environment
- No. 374 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 375 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 376 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 377 Committee on Health and Environment, then to the Committee on Judiciary
- No. 378 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 379 Committee on Health and Environment, then to the Committee on Judiciary
- No. 380 Committee on Education, then to the Committee on Ways and Means
- No. 381 Committee on Education, then to the Committee on Ways and Means
- No. 382 Committee on Transportation and Intergovernmental Affairs
- No. 383 Committee on Human Resources, then to the Committee on Ways and Means
- No. 384 Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 385 Committee on Human Resources
- No. 386 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 387 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 388 Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology

- No. 389 Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 390 Committee on Education, then to the Committee on Ways and Means
- No. 391 Committee on Education, then to the Committee on Ways and Means
- No. 392 Committee on Education, then to the Committee on Ways and Means
- No. 393 Committee on Education, then to the Committee on Ways and Means
- No. 394 Committee on Education, then to the Committee on Ways and Means
- No. 395 Committee on Education, then to the Committee on Ways and Means
- No. 396 Committee on Education, then to the Committee on Ways and Means
- No. 397 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 398 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 399 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 400 Committee on Ways and Means
- No. 401 Committee on Economic Development, then to the Committee on Ways and Means
- No. 402 Committee on Ways and Means
- No. 403 Committee on Education, then to the Committee on Ways and Means
- No. 404 Committee on Ways and Means
- No. 405 Committee on Judiciary, then to the Committee on Ways and Means
- No. 406 Jointly to the Committee on Human Resources and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 407 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Environment, then to the Committee on Ways and Means
- No. 408 Committee on Ways and Means
- No. 409 Jointly to the Committee on Human Resources and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 410 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 411 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 412 Committee on Human Resources, then to the Committee on Ways and Means
- No. 413 Committee on Economic Development, then to the Committee on Ways and Means
- No. 414 Committee on Economic Development, then to the Committee on Ways and Means
- No. 415 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 416 Committee on Human Resources, then to the Committee on Ways and Means
- No. 417 Committee on Economic Development, then to the Committee on Ways and Means
- No. 418 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 419 Committee on Economic Development, then to the Committee on Ways and Means
- No. 420 Committee on Economic Development, then to the Committee on Ways and Means
- No. 421 Committee on Judiciary, then to the Committee on Ways and Means
- No. 422 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 423 Committee on Education, then to the Committee on Ways and Means
- No. 424 Committee on Economic Development, then to the Committee on Ways and Means
- No. 425 Committee on Economic Development, then to the Committee on Ways and Means
- No. 426 Committee on Education, then to the Committee on Ways and Means
- No. 427 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 428 Jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means
- No. 429 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 430 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 431 Committee on Ways and Means
- No. 432 Committee on Judiciary
- No. 433 Committee on Education, then to the Committee on Ways and Means
- No. 434 Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 435 Committee on Human Resources, then to the Committee on Ways and Means
- No. 436 Committee on Human Resources, then to the Committee on Ways and Means

- No. 437 Committee on Commerce, Consumer Protection, and Information Technology
- No. 438 Jointly to the Committee on Health and Environment and the Committee on Education, then to the Committee on Ways and Means
- No. 439 Committee on Education, then to the Committee on Ways and Means
- No. 440 Committee on Education, then to the Committee on Ways and Means
- No. 441 Committee on Education, then to the Committee on Ways and Means
- No. 442 Committee on Education, then to the Committee on Ways and Means
- No. 443 Jointly to the Committee on Health and Environment and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 444 Committee on Education, then to the Committee on Ways and Means
- No. 445 Committee on Education, then to the Committee on Ways and Means
- No. 446 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 447 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 448 Committee on Economic Development, then to the Committee on Ways and Means
- No. 449 Committee on Health and Environment, then to the Committee on Judiciary
- No. 450 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 451 Committee on Water, Land, and Hawaiian Affairs
- No. 452 Committee on Judiciary
- No. 453 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 454 Committee on Water, Land, and Hawaiian Affairs
- No. 455 Committee on Economic Development, then to the Committee on Ways and Means
- No. 456 Committee on Judiciary
- No. 457 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 458 Committee on Ways and Means
- No. 459 Committee on Judiciary
- No. 460 Committee on Judiciary
- No. 461 Committee on Judiciary
- No. 462 Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Ways and Means
- No. 463 Committee on Human Resources, then to the Committee on Ways and Means
- No. 464 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 465 Committee on Ways and Means
- No. 466 Committee on Judiciary
- No. 467 Committee on Judiciary
- No. 468 Committee on Economic Development, then to the Committee on Ways and Means
- No. 469 Committee on Judiciary
- No. 470 Committee on Human Resources, then to the Committee on Ways and Means
- No. 471 Committee on Human Resources, then to the Committee on Ways and Means
- No. 472 Committee on Economic Development, then to the Committee on Ways and Means
- No. 473 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 474 Committee on Human Resources, then to the Committee on Ways and Means
- No. 475 Committee on Economic Development, then to the Committee on Ways and Means
- No. 476 Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 477 Committee on Commerce, Consumer Protection, and Information Technology
- No. 478 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 479 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 480 Committee on Judiciary
- No. 481 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 482 Committee on Judiciary
- No. 483 Committee on Judiciary
- No. 484 Committee on Judiciary
- No. 485 Committee on Judiciary, then to the Committee on Ways and Means
- No. 486 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 487 Committee on Judiciary, then to the Committee on Ways and Means
- No. 488 Committee on Ways and Means

No. 489	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 514	Committee on Commerce, Consumer Protection, and Information Technology
No. 490	Committee on Economic Development	No. 515	Committee on Commerce, Consumer Protection, and Information Technology
No. 491	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means	No. 516	Committee on Commerce, Consumer Protection, and Information Technology
No. 492	Committee on Education, then to the Committee on Ways and Means	No. 517	Committee on Economic Development
No. 493	Committee on Commerce, Consumer Protection, and Information Technology	No. 518	Committee on Economic Development
No. 494	Committee on Human Resources, then to the Committee on Ways and Means	No. 519	Committee on Economic Development
No. 495	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means	No. 520	Committee on Economic Development
No. 496	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means	No. 521	Committee on Economic Development
No. 497	Committee on Health and Environment, then to the Committee on Ways and Means	No. 522	Committee on Economic Development
No. 498	Committee on Ways and Means	No. 523	Committee on Economic Development
No. 499	Committee on Ways and Means	No. 524	Committee on Economic Development
No. 500	Committee on Commerce, Consumer Protection, and Information Technology	No. 525	Committee on Economic Development
No. 501	Committee on Commerce, Consumer Protection, and Information Technology	No. 526	Committee on Economic Development
No. 502	Committee on Commerce, Consumer Protection, and Information Technology	No. 527	Committee on Economic Development
No. 503	Committee on Commerce, Consumer Protection, and Information Technology	No. 528	Committee on Economic Development
No. 504	Committee on Commerce, Consumer Protection, and Information Technology	No. 529	Committee on Education
No. 505	Committee on Commerce, Consumer Protection, and Information Technology	No. 530	Committee on Education
No. 506	Committee on Commerce, Consumer Protection, and Information Technology	No. 531	Committee on Education
No. 507	Committee on Commerce, Consumer Protection, and Information Technology	No. 532	Committee on Education
No. 508	Committee on Commerce, Consumer Protection, and Information Technology	No. 533	Committee on Education
No. 509	Committee on Commerce, Consumer Protection, and Information Technology	No. 534	Committee on Education
No. 510	Committee on Commerce, Consumer Protection, and Information Technology	No. 535	Committee on Education
No. 511	Committee on Commerce, Consumer Protection, and Information Technology	No. 536	Committee on Education
No. 512	Committee on Commerce, Consumer Protection, and Information Technology	No. 537	Committee on Education
No. 513	Committee on Commerce, Consumer Protection, and Information Technology	No. 538	Committee on Education
		No. 539	Committee on Government Operations and Housing
		No. 540	Committee on Government Operations and Housing
		No. 541	Committee on Government Operations and Housing
		No. 542	Committee on Government Operations and Housing
		No. 543	Committee on Government Operations and Housing
		No. 544	Committee on Government Operations and Housing
		No. 545	Committee on Government Operations and Housing



No. 546 and Housing	Committee on Government Operations	No. 582	Committee on Judiciary
No. 547 and Housing	Committee on Government Operations	No. 583	Committee on Judiciary
No. 548 and Housing	Committee on Government Operations	No. 584	Committee on Judiciary
No. 549 and Housing	Committee on Government Operations	No. 585	Committee on Judiciary
No. 550	Committee on Health and Environment	No. 586	Committee on Judiciary
No. 551	Committee on Health and Environment	No. 587	Committee on Judiciary
No. 552	Committee on Health and Environment	No. 588	Committee on Judiciary
No. 553	Committee on Health and Environment	No. 589	Committee on Judiciary
No. 554	Committee on Health and Environment	No. 590	Committee on Judiciary
No. 555	Committee on Health and Environment	No. 591	Committee on Judiciary
No. 556	Committee on Health and Environment	No. 592	Committee on Judiciary
No. 557	Committee on Health and Environment	No. 593	Committee on Transportation and Intergovernmental Affairs
No. 558	Committee on Health and Environment	No. 594	Committee on Transportation and Intergovernmental Affairs
No. 559	Committee on Health and Environment	No. 595	Committee on Transportation and Intergovernmental Affairs
No. 560	Committee on Human Resources	No. 596	Committee on Transportation and Intergovernmental Affairs
No. 561	Committee on Human Resources	No. 597	Committee on Transportation and Intergovernmental Affairs
No. 562	Committee on Human Resources	No. 598	Committee on Transportation and Intergovernmental Affairs
No. 563	Committee on Human Resources	No. 599	Committee on Transportation and Intergovernmental Affairs
No. 564	Committee on Human Resources	No. 600	Committee on Transportation and Intergovernmental Affairs
No. 565	Committee on Human Resources	No. 601	Committee on Transportation and Intergovernmental Affairs
No. 566	Committee on Human Resources	No. 602	Committee on Transportation and Intergovernmental Affairs
No. 567	Committee on Human Resources	No. 603	Committee on Water, Land, and Hawaiian Affairs
No. 568	Committee on Human Resources	No. 604	Committee on Water, Land, and Hawaiian Affairs
No. 569	Committee on Human Resources	No. 605	Committee on Water, Land, and Hawaiian Affairs
No. 570	Committee on Human Resources	No. 606	Committee on Water, Land, and Hawaiian Affairs
No. 571	Committee on Human Resources	No. 607	Committee on Water, Land, and Hawaiian Affairs
No. 572	Committee on Human Resources	No. 608	Committee on Water, Land, and Hawaiian Affairs
No. 573	Committee on Human Resources	No. 609	Committee on Water, Land, and Hawaiian Affairs
No. 574	Committee on Judiciary	No. 610	Committee on Water, Land, and Hawaiian Affairs
No. 575	Committee on Judiciary		
No. 576	Committee on Judiciary		
No. 577	Committee on Judiciary		
No. 578	Committee on Judiciary		
No. 579	Committee on Judiciary		
No. 580	Committee on Judiciary		
No. 581	Committee on Judiciary		

No. 611 Affairs	Committee on Water, Land, and Hawaiian	No. 638	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 612 Affairs	Committee on Water, Land, and Hawaiian	No. 639	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 613	Committee on Ways and Means	No. 640	Committee on Ways and Means
No. 614	Committee on Ways and Means	No. 641	Committee on Education, then to the Committee on Ways and Means
No. 615	Committee on Ways and Means	No. 642	Committee on Ways and Means
No. 616	Committee on Ways and Means	No. 643	Committee on Human Resources, then to the Committee on Ways and Means
No. 617	Committee on Ways and Means	No. 644	Committee on Ways and Means
No. 618	Committee on Ways and Means	No. 645	Committee on Ways and Means
No. 619	Committee on Ways and Means	No. 646	Committee on Ways and Means
No. 620	Committee on Ways and Means	No. 647	Committee on Judiciary
No. 621	Committee on Ways and Means	No. 648	Committee on Economic Development, then to the Committee on Ways and Means
No. 622	Committee on Ways and Means	No. 649	Committee on Government Operations and Housing, then to the Committee on Judiciary
No. 623	Committee on Ways and Means	No. 650	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 624	Committee on Ways and Means	No. 651	Committee on Transportation and Intergovernmental Affairs
No. 625	Committee on Ways and Means	No. 652	Committee on Judiciary
No. 626	Committee on Ways and Means	No. 653	Committee on Human Resources
No. 627	Committee on Ways and Means	No. 654	Committee on Government Operations and Housing
No. 628	Committee on Ways and Means	No. 655	Committee on Commerce, Consumer Protection, and Information Technology
No. 629	Committee on Ways and Means	No. 656	Committee on Commerce, Consumer Protection, and Information Technology
No. 630	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 657	Committee on Ways and Means
No. 631	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 658	Committee on Education, then to the Committee on Ways and Means
No. 632	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means	No. 659	Committee on Education, then to the Committee on Ways and Means
No. 633	Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs	No. 660	Committee on Education, then to the Committee on Ways and Means
No. 634	Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 661	Committee on Education, then to the Committee on Ways and Means
No. 635	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 662	Committee on Education, then to the Committee on Ways and Means
No. 636	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means	No. 663	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 637	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary	No. 664	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

- No. 665 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
- No. 666 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 667 Committee on Commerce, Consumer Protection, and Information Technology
- No. 668 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 669 Committee on Education, then to the Committee on Ways and Means
- No. 670 Committee on Judiciary, then to the Committee on Ways and Means
- No. 671 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 672 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 673 Committee on Economic Development, then to the Committee on Ways and Means
- No. 674 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 675 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 676 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 677 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 678 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs
- No. 679 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 680 Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 681 Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 682 Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 683 Committee on Commerce, Consumer Protection, and Information Technology
- No. 684 Committee on Commerce, Consumer Protection, and Information Technology
- No. 685 Committee on Commerce, Consumer Protection, and Information Technology
- No. 686 Committee on Commerce, Consumer Protection, and Information Technology
- No. 687 Committee on Economic Development
- No. 688 Committee on Human Resources, then to the Committee on Ways and Means
- No. 689 Committee on Human Resources, then to the Committee on Judiciary
- No. 690 Committee on Human Resources, then to the Committee on Ways and Means
- No. 691 Committee on Human Resources
- No. 692 Committee on Human Resources
- No. 693 Committee on Human Resources
- No. 694 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 695 Committee on Education, then to the Committee on Ways and Means
- No. 696 Committee on Judiciary
- No. 697 Committee on Judiciary
- No. 698 Committee on Human Resources, then to the Committee on Ways and Means
- No. 699 Committee on Education, then to the Committee on Human Resources
- No. 700 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 701 Committee on Judiciary, then to the Committee on Ways and Means
- No. 702 Committee on Judiciary, then to the Committee on Ways and Means
- No. 703 Committee on Judiciary
- No. 704 Committee on Judiciary
- No. 705 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 706 Committee on Judiciary, then to the Committee on Ways and Means
- No. 707 Committee on Judiciary
- No. 708 Committee on Judiciary, then to the Committee on Ways and Means
- No. 709 Committee on Judiciary
- No. 710 Committee on Judiciary
- No. 711 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 712 Committee on Judiciary
- No. 713 Committee on Judiciary, then to the Committee on Ways and Means
- No. 714 Committee on Judiciary
- No. 715 Committee on Judiciary, then to the Committee on Ways and Means

No. 716	Committee on Judiciary	No. 745	Committee on Education, then to the Committee on Ways and Means
No. 717	Committee on Judiciary, then to the Committee on Ways and Means	No. 746	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 718	Committee on Judiciary	No. 747	Committee on Human Resources, then to the Committee on Ways and Means
No. 719	Committee on Judiciary, then to the Committee on Ways and Means	No. 748	Committee on Judiciary
No. 720	Committee on Judiciary, then to the Committee on Ways and Means	No. 749	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
No. 721	Committee on Judiciary, then to the Committee on Ways and Means	No. 750	Committee on Health and Environment, then to the Committee on Ways and Means
No. 722	Committee on Ways and Means	No. 751	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 723	Committee on Human Resources	No. 752	Committee on Judiciary
No. 724	Jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means	No. 753	Committee on Human Resources, then to the Committee on Ways and Means
No. 725	Committee on Human Resources, then to the Committee on Ways and Means	No. 754	Committee on Human Resources
No. 726	Committee on Human Resources, then to the Committee on Ways and Means	No. 755	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 727	Committee on Human Resources, then to the Committee on Ways and Means	No. 756	Committee on Education, then to the Committee on Ways and Means
No. 728	Committee on Human Resources, then to the Committee on Ways and Means	No. 757	Committee on Education, then to the Committee on Ways and Means
No. 729	Committee on Human Resources, then to the Committee on Ways and Means	No. 758	Committee on Ways and Means
No. 730	Committee on Human Resources	No. 759	Committee on Economic Development, then to the Committee on Judiciary
No. 731	Committee on Human Resources, then to the Committee on Ways and Means	No. 760	Committee on Education, then to the Committee on Ways and Means
No. 732	Committee on Human Resources	No. 761	Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 733	Committee on Judiciary	No. 762	Committee on Judiciary
No. 734	Committee on Human Resources	No. 763	Committee on Judiciary
No. 735	Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means	No. 764	Committee on Judiciary
No. 736	Committee on Human Resources	No. 765	Committee on Human Resources, then to the Committee on Ways and Means
No. 737	Committee on Human Resources	No. 766	Committee on Judiciary
No. 738	Committee on Human Resources	No. 767	Committee on Judiciary
No. 739	Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means	No. 768	Committee on Ways and Means
No. 740	Committee on Human Resources, then to the Committee on Ways and Means	No. 769	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 741	Committee on Economic Development	No. 770	Committee on Judiciary
No. 742	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 771	Committee on Judiciary
No. 743	Committee on Judiciary		
No. 744	Committee on Judiciary		

No. 772	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 798	Committee on Government Operations and Housing
No. 773	Committee on Human Resources, then to the Committee on Ways and Means	No. 799	Committee on Ways and Means
No. 774	Committee on Judiciary, then to the Committee on Ways and Means	No. 800	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means
No. 775	Jointly to the Committee on Judiciary and the Committee on Education, then to the Committee on Ways and Means	No. 801	Committee on Judiciary, then to the Committee on Ways and Means
No. 776	Committee on Judiciary	No. 802	Committee on Economic Development, then to the Committee on Ways and Means
No. 777	Committee on Human Resources, then to the Committee on Judiciary	No. 803	Committee on Judiciary, then to the Committee on Ways and Means
No. 778	Committee on Education, then to the Committee on Ways and Means	No. 804	Committee on Judiciary
No. 779	Committee on Judiciary, then to the Committee on Ways and Means	No. 805	Committee on Judiciary
No. 780	Committee on Human Resources, then to the Committee on Judiciary	No. 806	Committee on Water, Land, and Hawaiian Affairs
No. 781	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 807	Committee on Water, Land, and Hawaiian Affairs
No. 782	Committee on Education, then to the Committee on Ways and Means	No. 808	Committee on Judiciary
No. 783	Committee on Judiciary	No. 809	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 784	Committee on Human Resources	No. 810	Committee on Judiciary
No. 785	Committee on Judiciary	No. 811	Committee on Transportation and Intergovernmental Affairs
No. 786	Committee on Government Operations and Housing	No. 812	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 787	Committee on Education, then to the Committee on Judiciary	No. 813	Committee on Education, then to the Committee on Judiciary
No. 788	Committee on Education, then to the Committee on Ways and Means	No. 814	Committee on Education, then to the Committee on Ways and Means
No. 789	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means	No. 815	Committee on Economic Development, then to the Committee on Ways and Means
No. 790	Committee on Transportation and Intergovernmental Affairs	No. 816	Committee on Education, then to the Committee on Ways and Means
No. 791	Committee on Ways and Means	No. 817	Committee on Education
No. 792	Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means	No. 818	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
No. 793	Committee on Human Resources	No. 819	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 794	Committee on Judiciary	No. 820	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
No. 795	Committee on Judiciary	No. 821	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
No. 796	Committee on Education, then to the Committee on Ways and Means	No. 822	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, then to the Committee on Judiciary
No. 797	Committee on Education, then to the Committee on Ways and Means	No. 823	Committee on Judiciary

- No. 824 Committee on Human Resources, then to the Committee on Judiciary
- No. 825 Committee on Judiciary
- No. 826 Committee on Education, then to the Committee on Ways and Means
- No. 827 Committee on Education, then to the Committee on Ways and Means
- No. 828 Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 829 Committee on Judiciary
- No. 830 Committee on Ways and Means
- No. 831 Committee on Judiciary, then to the Committee on Ways and Means
- No. 832 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 833 Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 834 Committee on Judiciary
- No. 835 Committee on Commerce, Consumer Protection, and Information Technology
- No. 836 Committee on Economic Development, then to the Committee on Ways and Means
- No. 837 Committee on Judiciary
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- No. 854 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 855 Committee on Government Operations and Housing, then to the Committee on Judiciary
- No. 856 Committee on Transportation and Intergovernmental Affairs
- No. 857 Jointly to the Committee on Education and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 858 Committee on Education, then to the Committee on Ways and Means
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- No. 870 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 871 Jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 872 Committee on Economic Development, then to the Committee on Ways and Means
- No. 873 Committee on Government Operations and Housing, then to the Committee on Ways and Means

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| No. 874 | Committee on Economic Development, then to the Committee on Ways and Means  | No. 896 | Committee on Health and Environment, then to the Committee on Transportation and Intergovernmental Affairs               |
| No. 875 | Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means | No. 897 | Committee on Health and Environment, then to the Committee on Ways and Means   |
| No. 876 | Committee on Government Operations and Housing, then to the Committee on Ways and Means   | No. 898 | Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology         |
| No. 877 | Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means      | No. 899 | Committee on Judiciary, then to the Committee on Ways and Means  |
| No. 878 | Committee on Transportation and Intergovernmental Affairs   | No. 900 | Committee on Judiciary, then to the Committee on Ways and Means  |
| No. 879 | Committee on Transportation and Intergovernmental Affairs   | No. 901 | Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 880 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 902 | Committee on Human Resources   |
| No. 881 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 903 | Committee on Education, then to the Committee on Ways and Means  |
| No. 882 | Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary  | No. 904 | Committee on Education, then to the Committee on Ways and Means  |
| No. 883 | Committee on Economic Development, then to the Committee on Ways and Means  | No. 905 | Committee on Government Operations and Housing   |
| No. 884 | Committee on Human Resources, then to the Committee on Ways and Means   | No. 906 | Committee on Government Operations and Housing, then to the Committee on Judiciary                                       |
| No. 885 | Committee on Human Resources, then to the Committee on Ways and Means   | No. 907 | Committee on Government Operations and Housing   |
| No. 886 | Committee on Human Resources, then to the Committee on Ways and Means   | No. 908 | Committee on Government Operations and Housing, then to the Committee on Ways and Means                                  |
| No. 887 | Committee on Human Resources, then to the Committee on Ways and Means   | No. 909 | Committee on Ways and Means  |
| No. 888 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 910 | Committee on Government Operations and Housing   |
| No. 889 | Committee on Health and Environment, then to the Committee on Transportation and Intergovernmental Affairs  | No. 911 | Committee on Ways and Means  |
| No. 890 | Committee on Health and Environment, then to the Committee on Ways and Means  | No. 912 | Committee on Judiciary   |
| No. 891 | Committee on Health and Environment, then to the Committee on Ways and Means  | No. 913 | Committee on Economic Development, then to the Committee on Ways and Means   |
| No. 892 | Jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means                                    | No. 914 | Committee on Commerce, Consumer Protection, and Information Technology   |
| No. 893 | Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means   |         |  |
| No. 894 | Committee on Economic Development, then to the Committee on Ways and Means  |         |  |
| No. 895 | Committee on Education, then to the Committee on Ways and Means   |         |  |

**RE-REFERRAL OF A SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

- |             |                                   |
|-------------|-----------------------------------|
| Senate Bill | Referred to:                      |
| No. 151     | Committee on Economic Development |

At 9:41 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 1, to receive the Governor's state of the state address.

**JOINT SESSION**

The Joint Session of the Senate and the House of Representatives of the Nineteenth Legislature of the State of

Hawaii, Regular Session of 1997, was called to order at 10:08 o'clock a.m. by the Honorable Joseph Souki, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Nineteenth Legislature:

The Honorable Mazie Hirono, Lieutenant Governor of Hawaii. She was presented a lei by Representative Nestor Garcia;

The Honorable Ronald T.Y. Moon, Chief Justice, Hawaii State Supreme Court. He was presented a lei by Senator Malama Solomon;

Ms. Samantha Cayetano, daughter of Governor Cayetano;

The Honorable Jeremy Harris, Mayor of the City and County of Honolulu, and Mrs. Harris;

The Honorable Stephen Yamashiro, Mayor of the County of Hawaii;

The Honorable Patrick Kawano, Council Chair, Maui County;

The Honorable James "Kimo" Apana, Council Vice Chair, Maui County;

The Honorable John DeSoto, Council Chair, City and County of Honolulu;

Representatives from the U.S. Armed Forces; and

Members of the Consular Corps.

The Speaker then appointed Senators Andrew Levin, Les Ihara, Jr., Mike McCartney and Whitney Anderson, on behalf of the Senate, and Representatives Paul Oshiro, Tom Okamura, Marcus Oshiro and Gene Ward, on behalf of the House of Representatives, to escort the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii, to the rostrum.

Senator Rosalyn H. Baker and Representative Bertha Kawakami presented Governor Cayetano with maile and ilima leis.

The Speaker then presented to the members of the Nineteenth Legislature and guests the Honorable Benjamin J. Cayetano, Governor of the State of Hawaii.

The Governor addressed the Joint Session as follows:

"Thank you very much, Joe. I want to invite you and Norman to join me in the Hawaiian diet. Let me tell you that it works and I urge all of you to look into it. It is really a great program. It tells you a lot about the Hawaiian culture, as well. Senator Kawamoto -- if he is still visible, he's been losing so much weight that he might not be here -- is on it and we truly, truly enjoy it.

"Mr. President, Mr. Speaker, Lieutenant Governor Hirono, Chief Justice Moon, members of the State Legislature, Mayor Harris, Mayor Yamashiro, distinguished guests and friends from our military, members of the Consular Corps, my fellow Hawaiians:

"Aloha!

"It is truly a privilege to once again speak on the state of the state. You know, this is my third state of the state and I think that at this time I'd like to go back two years and see where we were at that time. Then, my administration was brand new. The state was in its worst fiscal crisis ever. The budget submitted to you was not mine and we struggled to find

answers to the huge fiscal problems before us. State spending had skyrocketed.

"Between 1987 and 1995, general fund expenditures for the executive branch grew from \$1.6 billion to \$3 billion. A whopping 88.9 percent or an annual increase of 8.3 percent! Every state department had grown by leaps and bounds except one, the Office of the Lieutenant Governor.

"Dozens of unnecessary boards and commissions were established to oversee virtually every state agency and to deal, it seems, with nearly every state problem. A federal court consent decree loomed over our prisons because of overcrowded conditions. Our State Hospital entered its 22nd year of non-accreditation because it could not meet national mental health standards.

"Our state bureaucracy was a maze of red tape. Our cumbersome state regulatory rules frustrated and slowed private sector economic development adding more to Hawaii's reputation as a poor place to do business. And our workers' compensation and no-fault auto insurance premiums were among the highest in the nation. Well, we rolled up our sleeves and we went to work. We made the hard decisions and we have made good progress.

"First, we put our fiscal house in order. Under our financial plan, there is no need for layoffs or furloughs. Moreover, our plan provides enough funding for modest tax relief for our people and modest pay increases for our state workers.

"The 12-year federal consent decree will be lifted this summer after the improvements to the women's prison at Olomana are completed. Recently, the State Hospital regained national accreditation after 22 years of not being accredited.

"We eliminated more than 20 boards and commissions, 15 nonessential programs and streamlined 60 programs to improve efficiency. We cut red tape. Two years ago, it took five years to build a school. We've cut that time by at least one-third and we will do even better this year.

"We hired outside engineers from the private sector to cut our backlog of clean water permits. We adopted new rules which will speed up the process. We reduced the size of state government by 3,000 positions.

"Over the past two years, I'm proud to say, we have kept the growth of our state government below the rate of inflation and the rate of our state's population growth.

"And with your help, and with the help of the Lieutenant Governor and the Insurance Commissioner, we reduced Hawaii's workers' compensation premiums by 27 percent -- a \$100 million savings for Hawaii's businesses.

"Let me now speak about some of the issues we must deal with over the short term.

"Hawaii's auto insurance carriers enjoyed record profits over the past years. It is now time to give Hawaii's consumers a break. We will submit a no-fault automobile insurance bill which will reduce premiums by 25-30 percent. Based on my informal discussions with your leadership, I believe and I feel confident we will reach common ground on this issue.

"In my first year as governor, I vowed to resolve the long-standing issues that have plagued the Department of Hawaiian Home Lands. I strongly supported the passage of the \$600 million settlement simply because it was the right thing to do.

"This year my budget not only funds the annual \$30 million payment, it doubles the amount paid, giving the department \$60 million each year over the next two years. This prepayment will save the state money and will give the department more resources for housing.



"But, you know, building more homes is only part of the solution. Thousands of Native Hawaiians remain on the waiting list -- but only a small number can qualify to buy homes.

"To address this problem, the department is introducing new and innovative means of financing such as a new rent-to-own policy for homesteaders who would not otherwise qualify.

"So far, 349 homes have been fully completed, with about 1,100 homestead lots in various stages of construction. Another 1,100 are currently under design. It is my hope that by the end of my first term, we will complete or begin construction on 3,000 homestead lots.

"This session we face another challenge. We must resolve the state's differences with the Office of Hawaiian Affairs over the ceded lands. And it is important that we resolve this matter in a way that is fair to all of the citizens of this state. It is a difficult task, but I believe working together in good faith we can do it. Therefore, I will ask OHA to join me as I convene a task force of community leaders to work out a settlement of our differences.

"Making Hawaii a safe place to work, a safe place to live and to visit is a high priority of my administration. As your governor, I intend to use all of the crime-fighting tools under my control to reduce crime and its impact in Hawaii.

"First, we need more prison expansion in all of our counties. With your help, we will build 1,000 new prison beds over the biennium. In addition, we will lease prison beds from the federal government when it completes building its new prison at Elliott Street.

"The state has the responsibility and the organization to lead the fight against crime. I take this responsibility very, very seriously. Last year, Attorney General Bronster chaired the Law Enforcement Coalition which includes every police chief and prosecutor of this state. The coalition produced a crime package which I strongly support and which I urge you to support. The new legislation will accomplish the following:

- Mandate a jail term for repeat criminals convicted of 3 misdemeanors within a 5-year period;
- Provide public access to information about sex offenders;
- Make the 8 percent of the youth population who commit more than 50 percent of the crimes accountable for their actions by lowering the age at which the courts may treat them as adults;
- Impose a 'truth-in-sentencing' which requires defendants to serve 85 percent of their terms.

"You know, there is no greater threat to our society than illegal drug use. And we must do more to win the fight against drugs. For that reason I am proposing legislation that will do the following:

- That will strengthen our drug laws;
- That will expand by 200 beds our drug treatment programs, like our successful KASHBOX program at Waiawa.

"These efforts to reform our laws and build prison beds must be coupled, however, with community programs in order to truly make a difference. In New York City, and in other cities throughout the country, crime reduction has resulted from effective use of more police officers on the streets and strong community partnerships to fight crime.

"In this regard, I have asked my top national guardsman, General Richardson, to develop security watch programs in neighborhoods which do not have one. This program, manned by volunteer national guardsmen, we call the Na Koa Watch.

"Finally, let us always remember the victims. Too often, the victims of crime are ignored. We spend a lot of money protecting the rights of offenders, we must also use our resources to help the victims of their crimes by continuing to fund the Victim Witness Assistance Program, for which I ask your support.

"Our people are blessed to live in a state with the best natural resources on earth. Hawaii's environment is the God-given treasure that provides us with an unsurpassed quality of life. Hawaii is an ocean state with the fourth longest shoreline and the largest coral reef system in the United States.

"And yet, we spend less on protecting our marine resources than desert states such as Arizona. This neglect threatens our fish species like the ehu and the onaga and it endangers the life of our coral reefs. As an ocean state, we must protect these resources. And we will.

"To achieve this, I propose to double the state aquatic budget by \$4 million over the biennium and I propose to substantially increase the number of conservation enforcement officers at the Department of Land and Natural Resources. The added manpower will expand our law enforcement capability and provide more aquatic scientists to protect our marine resources.

"Over the past two years, we have paid much attention to sustaining Hawaii's unique and special resources. For example, with volunteer help, our parks on Kauai and on the Big Island were transformed from neglected eyesores to true island wonders. This year, we hope to add Ka Iwi to our string of wilderness pearls.

"Last year, congress made some significant changes in the nation's welfare laws. States now have much more responsibility for designing and funding their own welfare programs.

"The new welfare law provides a five-year lifetime limit on all cash assistance. This means that all able-bodied welfare recipients are now required to find work or become actively involved in preparing themselves for work. Hawaii's new welfare program ends the old idea of 'entitlement' -- those days are gone -- and it stresses individual and family responsibility.

"Our new program will reduce benefits, that is true, but it will also encourage people to work by permitting them to keep more of their income and assets. The program encourages individual responsibility, and you know we are already seeing positive results.

"Family and individual responsibility is an important theme in my administration. However, to help people go to work, we must create jobs.

"The private sector must now step up to the plate and work with us to provide job opportunities. The Department of Human Services has begun a new Public-Private Employment Partnership that provides incentives for business to hire welfare recipients.

"In addition, I have asked all of my department heads and state offices to assist in providing training for welfare recipients. This program, which we call WORK PLUS, calls for state workers to help train welfare recipients on the job. We will have welfare recipients working in our different departments. Helping welfare recipients is not in the job descriptions of our state workers -- but it should be in their hearts, because getting people off welfare is everyone's business and is to everyone's benefit.

"Finally, our state has a strong tradition for caring for its people. And even though the federal government is withdrawing funding for legal immigrants, this governor will not do that in Hawaii. It is not right. It is wrong. And I ask for your support.

"Nothing is more important than the education we give our children. A quality education system goes far beyond preparing our children to earn a living. Our entire society is uplifted when everyone is better educated.

"I stated many times that education is my highest priority, and working with you I believe I have demonstrated my commitment in the shaping of our budget over the past two years. While every other state department was suffering budget cuts ranging from 10 to 22 percent, the DOE's budget was cut only 3 percent in 1995, and only in the administration area. Not one cent was cut from the instruction budget. By mid-1996, the DOE was the only state department to be restored to full funding.

"That is my commitment to public education. And that commitment continues. My proposed \$1 billion CIP budget will double the yearly \$90 million appropriation that goes for the construction of DOE's projects. This means \$360 million will be spent over the biennium to build new schools, classrooms, libraries and cafeterias. To ease overcrowding in our schools, we will build 377 new classrooms.

"And you know, a few months ago, we received an unexpected bonus for our public schools. We reached an agreement with GTE Hawaiian Tel to add 7,000 new telephones in our public school systems at very little cost due to the declining telephone rates in the commercial area. This will address the serious shortage of telephones for teachers in our public schools. Although new classrooms and telephones can help, the disappointing test scores indicate that significant fundamental changes must be made before real gains can be made in our schools.

"Therefore, I propose two fundamental changes. First, I agree with you, Mr. Speaker, that it is time to return to an appointed Board of Education. I have the utmost respect for the elected members of the Board of Education. But unlike the elected school boards on the mainland -- our Board of Education does not have the power to raise revenue to finance our schools. A school board without the power to raise revenues is limited in its ability to govern. We need to return to an appointed school board. This change will clear the lines of accountability and hold the governor fully accountable for public education.

"The second change that I would like to propose is that we must extend Hawaii's school year. Hawaii has a 180-day school year -- the shortest in the country.

"By comparison, Japan's school year is 240 days, of which 210 are committed to basic instruction. The disadvantages to Hawaii's school children are obvious; and the disappointing test scores and critical reports show it.

"We have proposed an extended school year in our collective bargaining negotiations. And I say to the teachers, accept our proposal and we will work with the Legislature to find the money to pay for it so that our schools will have an extended school year and day.

"A few years ago, the Legislature passed a law which permitted teachers to take early retirement without penalty. More than 900 teachers retired taking with them invaluable classroom experience.

"The early retirement law was a mistake. It is doubtful whether it produced any savings, but it is clear to me that too many of our most experienced teachers left the classroom

prematurely. Our children need experienced teachers back in their classrooms.

"Therefore, I will send to you a bill which will permit them to return to the classrooms without penalty.

"I propose that we permit this for a limited period of time -- perhaps four years -- in order for the DOE and the University of Hawaii to develop a plan to train more local teachers to make up for the shortage, and I ask for your support.

"With respect to the University of Hawaii, I am pleased that we recently reached an agreement with the faculty on a four-year contract. The agreement was timely. And it was fair. Both sides worked hard to avoid a strike that would have adversely affected our students. It is a major step forward for the students, the faculty, the University and the State of Hawaii.

"We will help the University of Hawaii. I am committed to the University of Hawaii, and we are proposing that 22 percent of the CIP initiative, a \$1 billion CIP budget, be applied to long-standing construction needs of the University. First, we will build a new marine science building for the University of Hawaii at Hilo. Then we will build a telecommunications and media center at Maui Community College. We will build the third phase of Hamilton Library at the University of Hawaii at Manoa, and we will design and construct the new educational centers in West Hawaii and on Molokai to spread the University services to the people of those regions. And finally, this year we will begin the planning for the new campus, the West Oahu University campus in Kapolei.

"All across the country, public funding for state universities have declined. And as a result, state universities have embarked in major fundraising campaigns. The University of Hawaii has successfully raised about \$25 million each year since 1994. The University is now considering mounting a major five-year campaign in 1997. As governor, I wholeheartedly support this effort and I urge the public and Legislature and the UH alumni to join me.

"Therefore, I propose that the state match the earnings from the additional endowment funds raised in this campaign. This means that the state will contribute to the University's operating budget for every newly endowed chair, scholarship, or program. I ask for your support on this issue.

"Our biggest challenge is to stimulate the economy and provide more jobs.

"Two strategies are available to the government that can increase the number of jobs in the near term. First, we can increase expenditures for capital improvement projects, such as our \$1 billion CIP projects. And second, we can increase expenditures for tourism promotion and marketing.

"I have submitted, as I have said earlier, a \$1 billion CIP budget for the next two fiscal years.

"Many of the projects represent investments in the future prosperity and strength of our community.

"We will work with the City and County of Honolulu to revitalize Waikiki. We will open the Convention Center within budget on time. We will dredge and improve the Ala Wai Canal.

"In Kakaako, we will provide the infrastructure for the development of a major shopping center that will involve private investment of \$200 million and create 1,700 jobs.

"We are planning in Kakaako a Children's Center with a Children's Museum and Theater at its core. Our plan is to include a world-class aquarium in Kakaako.

"But despite all of the benefits of an expanded construction program, there have been criticisms that we cannot afford it. On the contrary, I believe we cannot afford not to do it.

"The construction sector has lost nearly 10,000 jobs since the early 1990s. We need to put those construction workers back to work so they can stimulate the economy so they can pay taxes and they can earn a living wage for their families and themselves.

"Hawaii's tourist industry is the engine that drives our economy. The industry provides approximately 178,000 jobs. Last year, tourists spent \$11 billion, generating approximately 25 percent of our tax revenues. To help boost our tourist industry, I will be sending you an emergency message for an additional \$10 million to be given to HVB for marketing and promotion. This will be over and above the normal appropriation that we give them.

"While tourism remains our primary industry, we should continue to encourage economic diversification.

"We should recognize our strengths. We have a superior quality of life that is very attractive to business. A good example is Square, USA, a large computer graphics and animation firm. Square, USA is planning to set up a design center here in Hawaii employing 200 professionals to take advantage of that quality of life. About 100 of those professional jobs will be open to Hawaii.

"To ensure that Hawaii residents get jobs, they have donated equipment and have offered to cooperate with the university to develop relevant classes. We need to encourage businesses like Square, USA to come to Hawaii.

"Finally, we are moving forward on our Enterprise Zone program after years of inactivity. This program promotes expansion of current businesses and location of new business in distressed areas by offering tax relief for as long as seven years. The counties and the state have designated ten Enterprise Zones, including the recent designation of Molokai and three more on Oahu. To date, approximately 25 new businesses have enrolled in the program with more applications being received every week.

"We have been active in our Asia-Pacific initiatives.

"During the past year, I and members of my cabinet led several trade and investment missions to Asia. Upon invitation of the respective governments, we went to Japan, China, Okinawa, Korea, Taiwan, and the Philippines.

"As a result, Hawaii has received 26 investment petitions from foreign investors, representing \$35 million in new investment and about 180 new jobs. We have also been asked to undertake projects in Asia that will provide employment for our architects, engineers, and professional consultants.

"Last year, I spoke of Hawaii as the Health Care Center of the Pacific. Together with the private sector, we are promoting Hawaii's expertise and facilities to gain visibility in Asia and throughout the country. Several of our hospitals have formed partnerships with globally-known health centers. Last year, The Joslin Diabetics Center of Boston and the Ningen Dock Diagnostic Program of Japan joined Straub Hospital; and this year, Hamamatsu Photonics Inc. has joined Queen's Medical Center. We have been talking to M.D. Anderson, The University of Texas Cancer Center, a leading cancer center in the world, and I can tell you that they are interested in coming to Hawaii and have already exchanged letters of intent with four hospitals and I look forward to their presence in Hawaii over the next few years.

"Our strategy to make Hawaii a world-class center for state-of-the-art medical and health services is beginning to take shape and I ask for your support.

"The opening up of former sugar lands has created new opportunities in diversified agriculture. We have seen a dramatic increase in the production of vegetables and fruits formerly imported from the mainland.

"Today, 95 percent of our sweet potatoes and watermelons, 85 percent of our bell peppers, 70 percent of our tomatoes and 60 percent of our cucumbers are home grown. Ten years ago, no one would have thought that was possible, but our small farmers are doing it and we must help them.

"To help our farmers export their products to the mainland and foreign countries, the State and the County of Hawaii, Mayor Yamashiro and I, will work together to help the private sector build an irradiation facility in Hilo. This will help our farmers export their produce and fruits and flowers to the mainland and other places. I ask for your support of this venture.

"Forestry is also becoming a new growth industry in Hawaii. Hamakua Timber, connected to Prudential Timber, has already begun planting on former sugarcane land in Hamakua. We are finalizing negotiations to lease state lands in Hamakua to OGI Paper Company, one of the largest paper companies in the world. I am confident that OGI will be here very, very shortly.

"These are some of the economic development initiatives that we have taken, and I ask that you support them.

"Now let me turn to the issue of tax relief. I'll come to you and propose major changes in my tax policy to deal with the issues of economic development and tax relief.

"One of the major concerns we face is that when the convention center is opened later this year, we will not have enough first-class hotel rooms in Waikiki. To encourage economic development, I propose a two-year window in which hotel operators are encouraged to renovate their properties by being able to claim as an income tax credit the entire amount of the general excise tax paid for such renovations.

"The excise tax credit will also encourage renovation of hotels in established areas on the neighbor islands.

"We need to do more to stimulate tourism. We need to expand our business frontiers beyond our state. I propose we eliminate the excise tax on export services to allow our architects, engineers, and professional consultants to compete effectively for employment outside the State of Hawaii.

"To stimulate affordable home construction in the next two years, I propose tax credits to first-time home buyers buying affordable homes.

"These Hula Mae eligibles would receive a 2 percent income tax credit applied up to \$200,000 of the purchase of a home resulting in a maximum credit of \$4,000. We call this the 2x2 program. The 2x2 program should increase the demand for affordable homes and create additional home construction activity. I ask for your support for these home buyers.

"There is no doubt that the current economic situation has hurt some islands and some communities more than others. Certainly, we know that it has hurt Kauai and Molokai more than it has hurt Oahu, Maui and the Big Island. Therefore, I am proposing an 18-month moratorium from the collection of excise taxes for businesses on both islands for every business that requests this. I ask that you support this measure.

"Taxes for individuals should also be reduced when we are able. It is especially needed to assist those at the lower end of the economic spectrum; for those with extraordinary expenses; and to encourage post-high school education.

"I propose eliminating the current \$27 food tax credit per person and in its place reduce state income taxes by 25 - 100 percent for those with incomes less than \$22,000. This would provide tax relief to at least 250,000 taxpayers, tax relief which is overdue and is needed, and I ask for your support on this measure.

"Because of my own personal experience with my father, I have long been concerned over the extraordinary expenses endured by those caring for their loved ones.

"Therefore, I am proposing a tax deduction of up to \$50,000 for amounts paid for qualified long-term care services and premiums. I ask that you support this measure.

"In this era of rising post-high school tuition costs and the ever more pressing need for more education, I am proposing a \$5,000 tax deduction for all post-high school tuition costs. I ask that you support this, as well.

"There are some who may wonder where we will get the money to fund the proposals I have made today. Let me state that we have accounted for every proposal -- dollar for dollar -- in our financial plan which will be submitted to you. We have already briefed your Ways and Means and your Finance chairs and I believe that the proposals we have made are affordable, and that there is something this year for everyone -- for our taxpayers, for our state workers and for our people.

"As I sat in this House last week and listened to the leaders of both parties, the Speaker, the Majority Leader, the Minority Leader; heard their arguments, their little digs at each other, I thought about the first time I sat here 22 years ago when I served as a member of this body. Today, however, I am thinking of the future. I see a common thread that connects the leaders of both our parties -- Democrats and Republicans, Liberals and Conservatives. We have one thing in common -- we all love Hawaii. We want a future for Hawaii with productive, well-educated people with high quality jobs in a diverse dynamic economy. We want a smart economy, where Hawaii has the latest technology and the value added is knowledge.

"We want a Hawaii where our children will have the opportunity to enjoy a fulfilling life. We want a Hawaii with compassion for the less fortunate. We want a future where our unique environment is still alive and beautiful ... a future where we are all safe and secure ... a Hawaii where people continue to care deeply about each other ... a Hawaii where the Aloha Spirit is alive and well.

"Over the last two years, we -- you and I -- have worked together to lay the foundation for that future. Now, together we must build on that foundation. I ask you to join me.

"Thank you very much and Aloha."

Senate President Norman Mizuguchi then rose and stated:

"Thank you, Governor Cayetano, for sharing your thoughts and aspirations for Hawaii with us today. We accept the challenges with a firm determination to make the tough and right decisions.

"In these troubled economic times, let us approach our state's problems in a spirit of cooperation and collaboration. Our success depends on how swiftly we act, how boldly and creatively we venture, and how far we reach out to each other to build consensus.

"Starting today, we will be receiving your administration's proposals. The Legislature shares some of the many goals that you have set forth in your speech.

"For our part, we pledge to give them our full attention and consideration.

"Again, Governor, mahalo for your thoughtful state-of-the-state address.

"If there be no further business by the members of the Senate and the House of Representatives, I now declare this Joint Session adjourned."

At 10:52 o'clock a.m., President Mizuguchi declared the Joint Session adjourned.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof, the following bills passed First Reading by Title and were deferred:

Senate Bill

No. 1129 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE SENIOR CITIZEN COMMUNITY AND ADULT EDUCATION PROGRAM OF THE DEPARTMENT OF EDUCATION'S COMMUNITY SCHOOLS FOR ADULTS."

Introduced by: Senator Tam.

No. 1130 "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO THE PARENT-COMMUNITY NETWORKING CENTERS AND THE FAMILIES FOR R.E.A.L. PROGRAM."

Introduced by: Senator Tam.

No. 1131 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Tam.

No. 1132 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE."

Introduced by: Senators Tam, Aki.

No. 1133 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY ATTENDANTS."

Introduced by: Senators Tam, Aki.

No. 1134 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR DETECTION OF ALIEN PEST SPECIES AT THE STATE'S PORTS OF ENTRY."

Introduced by: Senator Mizuguchi, by request.

No. 1135 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF ACUTE CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT."

Introduced by: Senator Mizuguchi, by request.

No. 1136 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAND RIGHTS, PRELIMINARY ENGINEERING DESIGN AND FIELD SURVEYING FOR THE UPCOUNTRY MAUI WATERSHED PROJECT, KULA, MAUI."

Introduced by: Senator Mizuguchi, by request.

No. 1137 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PACON INTERNATIONAL."

Introduced by: Senators Aki, Tam.

No. 1138 "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS."

Introduced by: Senator Aki.

No. 1139 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES."

Introduced by: Senator Aki.

No. 1140 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICES FOR WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Senator Aki.

No. 1141 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTION OF WAIOMEA STREET AND FARRINGTON HIGHWAY."

Introduced by: Senator Aki.

No. 1142 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senators Kanno, Chun Oakland.

No. 1143 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senators Kanno, Chun Oakland.

No. 1144 "A BILL FOR AN ACT RELATING TO APPROPRIATE BARGAINING UNIT."

Introduced by: Senators Kanno, Chun Oakland.

No. 1145 "A BILL FOR AN ACT RELATING TO PREVAILING WAGES AND BENEFITS OF PUBLIC SERVICE EMPLOYMENT."

Introduced by: Senators Kanno, Chun Oakland.

No. 1146 "A BILL FOR AN ACT RELATING TO WAGE OVERPAYMENTS."

Introduced by: Senators Kanno, Chun Oakland.

No. 1147 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senators Sakamoto, Slom.

No. 1148 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senator Sakamoto.

No. 1149 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator Sakamoto.

No. 1150 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Sakamoto.

No. 1151 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Sakamoto, Slom.

No. 1152 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Bunda.

No. 1153 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME."

Introduced by: Senator Bunda.

No. 1154 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."

Introduced by: Senator Bunda.

No. 1155 "A BILL FOR AN ACT RELATING TO BOATING."

Introduced by: Senator Bunda.

No. 1156 "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE AGENCY FUNDS."

Introduced by: Senator Bunda.

No. 1157 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Senator Matsunaga.

No. 1158 "A BILL FOR AN ACT RELATING TO HAWAIIANS."

Introduced by: Senator Matsunaga, by request.

No. 1159 "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS."

Introduced by: Senator Matsunaga.

No. 1160 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES."

Introduced by: Senator Matsunaga.

No. 1161 "A BILL FOR AN ACT RELATING TO TRANSPORTATION ENERGY."

Introduced by: Senator Matsunaga.

No. 1162 "A BILL FOR AN ACT RELATING TO NET ENERGY METERING."

Introduced by: Senator Taniguchi.

No. 1163 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Taniguchi.

No. 1164 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senator Taniguchi.

No. 1165 "A BILL FOR AN ACT RELATING TO GILL NET FISHING."

Introduced by: Senator Taniguchi, by request.

No. 1166 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MUSIC EDUCATION."

Introduced by: Senator Taniguchi.

No. 1167 "A BILL FOR AN ACT RELATING TO DOCKAGE FEES."

Introduced by: Senator Fernandes Salling.

No. 1168 "A BILL FOR AN ACT RELATING TO U-DRIVE MOTOR VEHICLE INSURANCE."

Introduced by: Senator Fernandes Salling, by request.

No. 1169 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Levin.

No. 1170 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Senator Levin, by request.

No. 1171 "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION."

Introduced by: Senator Levin.

No. 1172 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Senator Levin, by request.

No. 1173 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Levin.

No. 1174 "A BILL FOR AN ACT RELATED TO THE LIMITED ACCESS TO MAALAEA SMALL BOAT HARBOR."

Introduced by: Senator McCartney.

No. 1175 "A BILL FOR AN ACT RELATING TO NEIGHBORHOOD ASSISTANCE CREDIT."

Introduced by: Senator McCartney.

No. 1176 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WATER PROCESSING ENTERPRISES."

Introduced by: Senator McCartney.

No. 1177 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator McCartney, by request.

No. 1178 "A BILL FOR AN ACT RELATING TO A WAIKIKI SPECIAL TAX DISTRICT."

Introduced by: Senator McCartney, by request.

No. 1179 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII-HILO."

Introduced by: Senator Solomon.

No. 1180 "A BILL FOR AN ACT RELATING TO TASK FORCE FOR HAWAIIAN SERVICES."

Introduced by: Senator Solomon.

No. 1181 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Solomon.

No. 1182 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Solomon.

No. 1183 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IN-HOME ELDERLY SERVICES."

Introduced by: Senators Chun Oakland, Kanno.

No. 1184 "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR HAWAII HEALTH QUEST."

Introduced by: Senators Chun Oakland, Kanno.

No. 1185 "A BILL FOR AN ACT RELATING TO HEALTH QUEST."

Introduced by: Senators Chun Oakland, Kanno.

No. 1186 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Chun Oakland.

No. 1187 "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS."

Introduced by: Senators Chun Oakland, Sakamoto, Aki, Ige, D.

No. 1188 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."

Introduced by: Senators Ihara, McCartney, Ige, D.

No. 1189 "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS."

Introduced by: Senators Ihara, McCartney, Ige, D.

No. 1190 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."

Introduced by: Senators Baker, Ige, D.

No. 1191 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Baker, Ige, D.

No. 1192 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAND RIGHTS AND PRELIMINARY ENGINEERING DESIGN AND FIELD SURVEYING FOR THE UPCOUNTRY MAUI WATERSHED PROJECT, KULA, MAUI."

Introduced by: Senator Chumbley.

No. 1193 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Chumbley, Matsunaga, Chun Oakland.

No. 1194 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF INCREMENTAL DEVELOPMENTS OF BARBERS POINT HARBOR."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1195 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF AN INTERNATIONAL ARRIVAL BUILDING AT HONOLULU INTERNATIONAL AIRPORT."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1196 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, by request, Sakamoto.

No. 1197 "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1198 "A BILL FOR AN ACT RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1199 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF EMERGENCY UTILITY GRIDS."

Introduced by: Senator Matsuura.

No. 1200 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A RENEWABLE ENERGY AND BIOTECHNOLOGY RESEARCH FACILITY AT THE NATURAL ENERGY LABORATORY OF HAWAII."

Introduced by: Senator Matsuura.

No. 1201 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ROUTE SURVEY, SOIL INVESTIGATION, AND PRELIMINARY ENGINEERING DESIGN OF THE POHAKULOA AND WAIMEA WATER DEVELOPMENT PROJECT AND TRANSMISSION LINE."

Introduced by: Senator Matsuura.

No. 1202 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR SADDLE ROAD, HAWAII."

Introduced by: Senator Matsuura.

No. 1203 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senators Ige, D., Baker.

No. 1204 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Ige, D., Baker.

No. 1205 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Ige, D., Baker.

No. 1206 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Ige, D.

No. 1207 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senator Ige, D., by request.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 9:30 o'clock a.m., Wednesday, January 22, 1997.

## FIFTH DAY

Wednesday, January 22, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 9:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Kenneth Karratti, Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Iwase and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Fourth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 97 to 101) were read by the Clerk and were placed on file:

Gov. Msg. No. 97, dated December 17, 1996, transmitting the 1996 Annual Report of the Employment and Training Fund Program, prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 98, dated January 7, 1997, transmitting a report prepared by the Department of Agriculture pursuant to Sections 155-14 and 219-4, HRS.

Gov. Msg. No. 99, dated January 9, 1997, transmitting the Status Report on the Subsistence Fishing Pilot Demonstration Project, Molokai, prepared by the Department of Land and Natural Resources, Division of Aquatic Resources, pursuant to Act 271, SLH 1994.

Gov. Msg. No. 100, dated January 10, 1997, transmitting a report, "Purchase of Service," prepared by the State Procurement Office pursuant to Act 310, SLH 1996.

Gov. Msg. No. 101, dated January 15, 1997, transmitting an amended cover sheet of a previously submitted report prepared by the University of Hawaii pursuant to S.C.R. No. 145 (1996), requesting the University of Hawaii to review its tuition assistance program to allow more time for tuition assistance application and approval.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Wednesday, January 15, 1997, Thursday, January 16, 1997 and Friday, January 17, 1997:

Senate Bill Referred to:

No. 153 Committee on Education, then to the Committee on Ways and Means

No. 154 Committee on Commerce, Consumer Protection, and Information Technology

No. 155 Committee on Judiciary, then to the Committee on Ways and Means

No. 156 Committee on Commerce, Consumer Protection, and Information Technology

No. 157 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary

No. 158 Committee on Ways and Means

No. 159 Committee on Commerce, Consumer Protection, and Information Technology

No. 160 Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 161 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 162 Committee on Health and Environment, then to the Committee on Ways and Means

No. 163 Committee on Commerce, Consumer Protection, and Information Technology

No. 164 Committee on Health and Environment, then to the Committee on Ways and Means

No. 165 Committee on Health and Environment, then to the Committee on Judiciary

No. 166 Committee on Health and Environment, then to the Committee on Ways and Means

No. 167 Committee on Health and Environment, then to the Committee on Ways and Means

No. 168 Committee on Education, then to the Committee on Judiciary

No. 169 Committee on Transportation and Intergovernmental Affairs

No. 170 Committee on Economic Development, then to the Committee on Ways and Means

No. 171 Committee on Government Operations and Housing

No. 172 Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs

No. 173 Committee on Health and Environment, then to the Committee on Ways and Means

No. 174 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 175 Committee on Health and Environment, then to the Committee on Ways and Means

No. 176 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 177 Committee on Health and Environment, then to the Committee on Ways and Means

No. 178 Committee on Health and Environment, then to the Committee on Ways and Means

No. 179 Committee on Health and Environment, then to the Committee on Ways and Means

No. 180 Committee on Human Resources, then to the Committee on Ways and Means

No. 181 Committee on Education, then to the Committee on Government Operations and Housing



No. 182	Committee on Judiciary	No. 206	Committee on Ways and Means
No. 183	Committee on Commerce, Consumer Protection, and Information Technology	No. 207	Committee on Ways and Means
No. 184	Committee on Transportation and Intergovernmental Affairs	No. 208	Committee on Ways and Means
No. 185	Committee on Economic Development, then to the Committee on Ways and Means	No. 209	Committee on Ways and Means, then to the Committee on Judiciary
No. 186	Committee on Education, then to the Committee on Ways and Means	No. 210	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 187	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, then to the Committee on Ways and Means	No. 211	Committee on Judiciary
No. 188	Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means	No. 212	Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs
No. 189	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 213	Committee on Government Operations and Housing
No. 190	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 214	Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 191	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 215	Committee on Judiciary
No. 192	Committee on Human Resources, then to the Committee on Ways and Means	No. 216	Committee on Health and Environment, then to the Committee on Ways and Means
No. 193	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 217	Committee on Ways and Means
No. 194	Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means	No. 218	Committee on Human Resources, then to the Committee on Ways and Means
No. 195	Committee on Education, then to the Committee on Ways and Means	No. 219	Committee on Education, then to the Committee on Ways and Means
No. 196	Committee on Health and Environment, then to the Committee on Ways and Means	No. 220	Committee on Education, then to the Committee on Ways and Means
No. 197	Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 221	Committee on Health and Environment, then to the Committee on Ways and Means
No. 198	Committee on Ways and Means	No. 222	Committee on Economic Development
No. 199	Committee on Judiciary	No. 223	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 200	Committee on Ways and Means	No. 224	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, then to the Committee on Ways and Means
No. 201	Committee on Judiciary, then to the Committee on Ways and Means	No. 225	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 202	Committee on Human Resources, then to the Committee on Ways and Means	No. 226	Committee on Commerce, Consumer Protection, and Information Technology
No. 203	Committee on Human Resources, then to the Committee on Judiciary	No. 227	Committee on Commerce, Consumer Protection, and Information Technology
No. 204	Committee on Ways and Means	No. 228	Committee on Commerce, Consumer Protection, and Information Technology
No. 205	Committee on Education, then to the Committee on Ways and Means	No. 229	Committee on Human Resources
		No. 230	Committee on Education, then to the Committee on Ways and Means

No. 231	Committee on Judiciary	No. 917	Committee on Education, then to the Committee on Ways and Means
No. 232	Committee on Judiciary	No. 918	Committee on Education, then to the Committee on Ways and Means
No. 233	Committee on Human Resources, then to the Committee on Ways and Means	No. 919	Committee on Education, then to the Committee on Ways and Means
No. 234	Committee on Human Resources, then to the Committee on Ways and Means	No. 920	Committee on Education, then to the Committee on Ways and Means
No. 235	Committee on Human Resources, then to the Committee on Ways and Means	No. 921	Committee on Education, then to the Committee on Ways and Means
No. 236	Committee on Judiciary	No. 922	Committee on Education, then to the Committee on Ways and Means
No. 237	Committee on Transportation and Intergovernmental Affairs	No. 923	Committee on Education, then to the Committee on Ways and Means
No. 238	Committee on Judiciary	No. 924	Committee on Education, then to the Committee on Ways and Means
No. 239	Committee on Judiciary	No. 925	Committee on Education, then to the Committee on Ways and Means
No. 240	Committee on Judiciary	No. 926	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 241	Committee on Judiciary	No. 927	Committee on Ways and Means
No. 242	Committee on Judiciary, then to the Committee on Ways and Means	No. 928	Committee on Ways and Means
No. 243	Committee on Judiciary	No. 929	Committee on Ways and Means
No. 244	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs	No. 930	Committee on Ways and Means
No. 245	Committee on Ways and Means	No. 931	Committee on Ways and Means
No. 246	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing	No. 932	Committee on Ways and Means
No. 247	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 933	Committee on Ways and Means
No. 248	Committee on Transportation and Intergovernmental Affairs	No. 934	Committee on Ways and Means
No. 249	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 935	Committee on Ways and Means
No. 250	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 936	Committee on Ways and Means
No. 251	Committee on Health and Environment, then to the Committee on Ways and Means	No. 937	Committee on Ways and Means
No. 252	Committee on Human Resources, then to the Committee on Ways and Means	No. 938	Committee on Ways and Means
No. 253	Committee on Judiciary	No. 939	Committee on Ways and Means
No. 254	Committee on Judiciary	No. 940	Committee on Ways and Means
No. 255	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means	No. 941	Committee on Ways and Means, then to the Committee on Judiciary
No. 256	Committee on Judiciary	No. 942	Committee on Education, then to the Committee on Ways and Means
No. 915	Committee on Ways and Means	No. 943	Committee on Human Resources, then to the Committee on Ways and Means
No. 916	Committee on Education, then to the Committee on Ways and Means	No. 944	Committee on Health and Environment, then to the Committee on Ways and Means
		No. 945	Committee on Education, then to the Committee on Ways and Means

- No. 946 Committee on Human Resources, then to the Committee on Ways and Means
- No. 947 Committee on Human Resources, then to the Committee on Ways and Means
- No. 948 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 949 Committee on Human Resources, then to the Committee on Ways and Means
- No. 950 Committee on Education, then to the Committee on Ways and Means
- No. 951 Committee on Education, then to the Committee on Ways and Means
- No. 952 Committee on Commerce, Consumer Protection, and Information Technology
- No. 953 Committee on Judiciary
- No. 954 Committee on Human Resources, then to the Committee on Ways and Means
- No. 955 Committee on Judiciary
- No. 956 Committee on Judiciary
- No. 957 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 958 Committee on Commerce, Consumer Protection, and Information Technology
- No. 959 Committee on Commerce, Consumer Protection, and Information Technology
- No. 960 Committee on Judiciary
- No. 961 Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 962 Committee on Education, then to the Committee on Judiciary
- No. 963 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 964 Committee on Education, then to the Committee on Judiciary
- No. 965 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 966 Committee on Commerce, Consumer Protection, and Information Technology
- No. 967 Committee on Commerce, Consumer Protection, and Information Technology
- No. 968 Committee on Commerce, Consumer Protection, and Information Technology
- No. 969 Committee on Education, then to the Committee on Ways and Means
- No. 970 Committee on Education, then to the Committee on Ways and Means
- No. 971 Committee on Education
- No. 972 Committee on Education, then to the Committee on Ways and Means
- No. 973 Committee on Education, then to the Committee on Ways and Means
- No. 974 Committee on Education, then to the Committee on Judiciary
- No. 975 Committee on Education, then to the Committee on Ways and Means
- No. 976 Committee on Education, then to the Committee on Ways and Means
- No. 977 Committee on Education, then to the Committee on Ways and Means
- No. 978 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 979 Committee on Human Resources, then to the Committee on Ways and Means
- No. 980 Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 981 Committee on Education, then to the Committee on Ways and Means
- No. 982 Committee on Government Operations and Housing, then to the Committee on Transportation and Intergovernmental Affairs
- No. 983 Committee on Education, then to the Committee on Ways and Means
- No. 984 Committee on Commerce, Consumer Protection, and Information Technology
- No. 985 Committee on Commerce, Consumer Protection, and Information Technology
- No. 986 Committee on Judiciary
- No. 987 Committee on Education, then to the Committee on Judiciary
- No. 988 Committee on Economic Development, then to the Committee on Judiciary
- No. 989 Committee on Judiciary
- No. 990 Committee on Judiciary, then to the Committee on Ways and Means
- No. 991 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 992 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Government Operations and Housing
- No. 993 Committee on Education, then to the Committee on Ways and Means
- No. 994 Committee on Education, then to the Committee on Ways and Means
- No. 995 Committee on Education, then to the Committee on Ways and Means

No. 996	Committee on Education, then to the Committee on Ways and Means	No. 1022	Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
No. 997	Committee on Education, then to the Committee on Ways and Means	No. 1023	Committee on Human Resources, then to the Committee on Ways and Means
No. 998	Committee on Education, then to the Committee on Ways and Means	No. 1024	Committee on Human Resources, then to the Committee on Ways and Means
No. 999	Committee on Education, then to the Committee on Ways and Means	No. 1025	Committee on Economic Development, then to the Committee on Ways and Means
No. 1000	Committee on Education, then to the Committee on Ways and Means	No. 1026	Committee on Ways and Means
No. 1001	Committee on Judiciary	No. 1027	Committee on Human Resources, then to the Committee on Ways and Means
No. 1002	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 1028	Committee on Ways and Means
No. 1003	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary	No. 1029	Committee on Ways and Means
No. 1004	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1030	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1005	Committee on Economic Development, then to the Committee on Ways and Means	No. 1031	Committee on Commerce, Consumer Protection, and Information Technology
No. 1006	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary	No. 1032	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1007	Committee on Ways and Means	No. 1033	Committee on Judiciary
No. 1008	Committee on Economic Development, then to the Committee on Ways and Means	No. 1034	Committee on Education, then to the Committee on Ways and Means
No. 1009	Committee on Economic Development, then to the Committee on Judiciary	No. 1035	Committee on Economic Development, then to the Committee on Ways and Means
No. 1010	Committee on Human Resources	No. 1036	Committee on Economic Development, then to the Committee on Ways and Means
No. 1011	Committee on Ways and Means	No. 1037	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1012	Committee on Economic Development, then to the Committee on Ways and Means	No. 1038	Committee on Judiciary, then to the Committee on Ways and Means
No. 1013	Committee on Economic Development, then to the Committee on Ways and Means	No. 1039	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1014	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs	No. 1040	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1015	Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs	No. 1041	Committee on Judiciary
No. 1016	Committee on Water, Land, and Hawaiian Affairs	No. 1042	Committee on Human Resources
No. 1017	Committee on Ways and Means	No. 1043	Committee on Judiciary, then to the Committee on Ways and Means
No. 1018	Committee on Economic Development, then to the Committee on Ways and Means	No. 1044	Committee on Judiciary, then to the Committee on Ways and Means
No. 1019	Committee on Commerce, Consumer Protection, and Information Technology	No. 1045	Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
No. 1020	Committee on Judiciary	No. 1046	Committee on Judiciary
No. 1021	Committee on Government Operations and Housing, then to the Committee on Judiciary		

No. 1047	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary	No. 1077	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 1048	Committee on Judiciary	No. 1078	Committee on Commerce, Consumer Protection, and Information Technology
No. 1049	Committee on Human Resources	No. 1079	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1050	Committee on Human Resources	No. 1080	Committee on Economic Development
No. 1051	Committee on Commerce, Consumer Protection, and Information Technology	No. 1081	Committee on Economic Development
No. 1052	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1082	Committee on Health and Environment
No. 1053	Committee on Judiciary	No. 1083	Committee on Health and Environment
No. 1054	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1084	Committee on Commerce, Consumer Protection, and Information Technology
No. 1055	Committee on Judiciary	No. 1085	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1056	Committee on Education, then to the Committee on Ways and Means	No. 1086	Committee on Human Resources
No. 1057	Committee on Human Resources, then to the Committee on Judiciary	No. 1087	Committee on Health and Environment, then to the Committee on Judiciary
No. 1058	Committee on Judiciary	No. 1088	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1059	Committee on Judiciary	No. 1089	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1060	Committee on Human Resources	No. 1090	Committee on Health and Environment, then to the Committee on Economic Development
No. 1061	Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1091	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1062	Committee on Judiciary	No. 1092	Committee on Judiciary, then to the Committee on Ways and Means
No. 1063	Committee on Judiciary	No. 1093	Committee on Judiciary, then to the Committee on Ways and Means
No. 1064	Committee on Judiciary	No. 1094	Committee on Judiciary
No. 1065	Committee on Judiciary	No. 1095	Committee on Judiciary
No. 1066	Committee on Judiciary	No. 1096	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1067	Committee on Judiciary	No. 1097	Committee on Judiciary
No. 1068	Committee on Judiciary	No. 1098	Committee on Judiciary
No. 1069	Committee on Judiciary	No. 1099	Committee on Education, then to the Committee on Ways and Means
No. 1070	Committee on Judiciary	No. 1100	Committee on Human Resources, then to the Committee on Ways and Means
No. 1071	Committee on Judiciary	No. 1101	Committee on Economic Development, then to the Committee on Ways and Means
No. 1072	Committee on Judiciary	No. 1102	Committee on Commerce, Consumer Protection, and Information Technology
No. 1073	Committee on Judiciary	No. 1103	Committee on Commerce, Consumer Protection, and Information Technology
No. 1074	Committee on Judiciary	No. 1104	Committee on Commerce, Consumer Protection, and Information Technology
No. 1075	Committee on Judiciary		
No. 1076	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, then to the Committee on Ways and Means		

- No. 1105 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1106 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1107 Committee on Government Operations and Housing
- No. 1108 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1109 Committee on Health and Environment
- No. 1110 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1111 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1112 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1113 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1114 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1115 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1116 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1117 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1118 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1119 Committee on Health and Environment
- No. 1120 Jointly to the Committee on Human Resources and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1121 Committee on Ways and Means
- No. 1122 Committee on Health and Environment
- No. 1123 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1124 Committee on Human Resources
- No. 1125 Committee on Judiciary
- No. 1126 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1127 Committee on Judiciary
- No. 1128 Committee on Human Resources

Hawaii, Regular Session of 1997, was called to order at 10:04 o'clock a.m. by the Honorable Norman Mizuguchi, President of the Senate.

At this time, Senate President Mizuguchi welcomed and introduced the following distinguished guests to the members of the Nineteenth Legislature:

The Honorable Benjamin J. Cayetano, Governor of the State of Hawaii. He was presented leis by Senator Suzanne Chun Oakland and Representative Terry Yoshinaga;

The Honorable Mazie Hirono, Lieutenant Governor of the State of Hawaii. She was presented leis by Senator Norman Sakamoto and Representative Paul Oshiro;

Mrs. Stella Moon, wife of Chief Justice Moon. She was presented leis by Senator Robert Bunda and Representative Tom Okamura; and

The Honorable William Richardson, former Chief Justice of the Hawaii Supreme Court.

The President then appointed Senators Avery Chumbley, Matt Matsunaga and Sam Slom, on behalf of the Senate, and Representatives Terrance Tom, Brian Yamane and Cynthia Thielen, on behalf of the House of Representatives, to escort the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the rostrum.

Senator Rosalyn H. Baker and Representative Bertha Kawakami presented Chief Justice Moon with floral leis on behalf of the Senate and the House of Representatives, respectively.

Senate President Mizuguchi then presented the Honorable Ronald T.Y. Moon, Chief Justice of the Hawaii Supreme Court, to the members of the Nineteenth Legislature.

The Chief Justice addressed the Joint Session as follows:

"Thank you very much. I just had a fleeting thought after that resounding round of applause -- I thought what would really make you happy would be for me to say 'thank you' and then sit down, and perhaps I would get another resounding round of applause. But I am very concerned about the people who paid to get in here and so I won't do that. (Laughter.)

"Governor Cayetano, Lt. Governor Hirono, Mr. President, Mr. Speaker, distinguished members of the Nineteenth Legislature, former Chief Justice Richardson, Hawaii State Bar Association President, Alan Van Etten, my fellow judges, other public servants, and special guests:

"It is a great honor and privilege to be the first chief justice invited to deliver the state of the judiciary address to a Joint Session of the Hawaii State Legislature. I thank the leadership and members of the Nineteenth Legislature for this opportunity and hope that this is the birth of a long-lasting tradition. I truly believe that this is a historic event as important in its symbolism as it is in its substance and that it marks the beginning of a new dialogue and cooperative spirit among our three branches of government as we pursue our shared goal of providing for the common good of the people of Hawaii.

"The state of the judiciary is sound, but it is fragile because it has no political constituency and is dependent upon the executive's and legislature's willingness to maintain the judiciary as a strong, independent third branch of government. Thus, I take this opportunity to comment on the importance of preserving an independent judiciary, to apprise you of the current state of affairs within our third branch of government, and to share with you some of our plans for the future. I promise not to bombard you with statistics, and, because I realize that each of you have much work to do, I will be brief, which I'm sure everyone understands is a relative term --

At 9:44 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with Senate Concurrent Resolution No. 1, to receive the Chief Justice's state of the judiciary address.

**JOINT SESSION**

The Joint Session of the Senate and the House of Representatives of the Nineteenth Legislature of the State of

especially when it comes from a person in the legal profession. (Laughter.)

"Standing before you today reminds me of speaking at a business conference several years ago. After my presentation, one of the organizers asked me whether it bothered me to see some of the attendees looking at their watches. I said, 'No, not until they started shaking them!' (Laughter.)

"Since most of us here today are associated with one of the three separate, independent, and equal branches of government -- please feel free to shake your watches at any time. (More laughter.)

"As you know, tri-partite government in Hawaii is a relatively recent development as compared to the federal system and many of the other states. Under the rule of absolute monarchy, all executive, legislative, and judicial powers -- as we understand them today -- were vested in the Monarch, along with his advisory council of alii. However, soon after the arrival of Western missionaries to the Islands in the 1820's, the concept of tri-partite government began to replace the existing monarchy as evidenced by the Constitution of 1852, which laid the foundation for our present structure.

"Since statehood and the adoption of our 1959 Constitution, legislative actions have reaffirmed the concepts of the separation of powers and judicial independence. For example: (1) in 1974, legislation afforded the judiciary full authority to develop its own budget, free from executive control, and to receive and disburse its own monies; (2) in 1977, the Legislature conferred upon the judiciary the ability to fully develop and administer its own system of personnel administration; and (3) in 1979, judicial independence was further solidified by legislation that created the Commission on Judicial Conduct and that bestowed upon the Supreme Court full authority over judicial discipline.

"Although the phrase 'separate, independent, and equal branches of government' may suggest to some that there are no limits as to what each branch can do, such perception is, of course, inaccurate. The system of checks and balances, built into our system of government, has, at its core, the purpose and intent of protecting our citizens against one branch becoming too powerful and of guarding against the potential for excesses and abuses of power. Therefore, as each branch asserts its constitutional independence, discord and tension may arise as a natural consequence.

"For example, the courts are sometimes characterized as legislating from the bench, that is, making or remaking the law. When deciding cases, judges often apply common law, statutory law, or constitutional law to new facts and circumstances. In so doing, we do not intend to usurp the legislative function. However, under our system of checks and balances, if we stray into legislative prerogative, the legislature has the ability to cure the trespass. As you know, in our legal system, statutes trump common law, and constitutions trump statutes. We are ever mindful that the Legislature -- the peoples' representatives -- hold the highest trumps. That is, the peoples' representatives have the authority, within constitutional limits, to write or rewrite statutes and to propose amendments to our State Constitution.

"Thus, although none of the branches are absolutely independent due to the system of checks and balances, each branch must maintain its independence in order to carry out its constitutional duties.

"Judicial independence, as it relates to judges, means that our decisions must be based solely on the legal merits of a case -- not on popular opinion polls or surveys, or the views of special interest groups. In the words of United States Supreme Court Chief Justice Rehnquist, judicial independence is 'one of the crown jewels of our system of government today . . . and is essential to [the Judiciary's] proper functioning and must be

retained,' which brings me to a subject that has, in recent years, been discussed at the Legislature and which I understand may once again surface this session, that is, the subject of the election of judges.

"Throughout my 31 years in the legal profession, I have observed that whenever a court's ruling is not in accord with the views of some of our citizens, they will cry out for reforms, such as the election of judges. As you know, the federal system, long ago, shunned the elective system in order to protect and maintain judicial independence. And, presently, several elective-judge states are either considering, or are in the process of adopting, a non-elective process similar to that which currently exists in our state. I submit that, if we are interested in strengthening our government process, any move toward electing judges would be a step backwards.

"In our system of representative government, the premise that members of the legislative branch and the heads of the executive branch of government should be elected by the people they each represent, that is, their constituents makes good sense. They are, under our system of government, guided by popular opinion and are expected to carry out the will of the people. On the other hand, judges are prohibited from having constituents or from engaging in politics because our decisions, and I reiterate and I emphasize, must be based solely on the legal merits of a case. And therein lies the crucial distinction between judges and representatives of the legislative and executive branches.

"If judges were elected, they would necessarily be compelled to raise campaign funds. Consider: Where would these contributions come from? Judges in elective states obtain hundreds of thousands of dollars in campaign contributions mainly from lawyers -- who appear before them -- and special interest groups -- whose cases may be decided by them -- raising serious conflicts of interest and appearances of impropriety.

"I am not saying that disagreeing with a court's ruling is wrong or that we are above criticism. What causes great concern is the type of uninformed, emotionally-based criticisms that we've recently read in letters to the editor or heard about on radio talk shows that have resulted in such recommendations as prorating judges' salaries based on the length of the sentences they issue. As judges, we welcome and respect informed or 'principled' criticism, which is, in part, our American legal tradition. In the words of William Henry Hastie, one of the most distinguished legal figures of this century and the first Black judge appointed under Article III of the federal constitution:

'Principled criticism serves as an invaluable corrective of otherwise unrealized error. But such criticism is quite different from outcry against the courts from those who seek to make them partisan: whether pro-management or pro-labor, pro-prosecution or pro-defense, pro-government or pro-private citizen, pro-injured party or pro-insurer. Any attempt to make the courts partisan, or to cause the public to want partisan decisions, is, at best, a misconception of the judicial role and, at worst, an effort to prostitute the courts and subvert their assigned function: the rational adjudication of controversies in accordance with the law.'

"Speaking of public 'misconception of the judicial role,' I submit that underlying much of the criticism about judges and the courts is a misconception or misunderstanding -- by the public, the media, and even sometimes by legislators -- of our justice system. Such misunderstanding can undermine the effectiveness of the judiciary and can erode the community's trust and confidence in the courts.

"One popular misconception is that the judiciary is responsible for releasing into the community arrested persons who have a history of multiple arrests. The fact is that the courts play no role in the arresting or charging process. The

police, or prosecutors, may decide -- and rightly so -- to release an accused, pending further investigation or because of a lack of evidence.

"Public misconception of the judicial process is probably most apparent in the area of sentencing. The judge, of course, is the most visible figure when sentence is pronounced. A judge imposes a prison term or grants probation (that is, no prison term) in accordance with the applicable sentencing statutes. Once a term of imprisonment is imposed, however, the determination of how long a defendant actually stays in prison passes to others in the executive branch. The very serious problem of prison overcrowding has compelled the Department of Public Safety and the Paroling Authority -- not the courts -- to release defendants into the community before their sentences have been fully served. The fact that the Department and the Paroling Authority have no alternative is a mockery of legislative intent and of our judgments. As such, the judiciary fully supports the governor and those legislators who are calling for more prison space.

"Another public misconception is that, unless judges are in their courtrooms handling trials, they are not working. Admittedly, a judge's work is most visible when he or she is sitting on the bench. The fact is, however, that a large part of a judge's work is done outside the courtroom. Judges spend countless hours reviewing motions, legal memoranda, and other documents in preparation for trials, hearings, conferences, and so forth. Judges are also involved with various judiciary, community, and charitable boards, commissions, and committees, actively working for the improvement of our judicial process and to fulfill our obligation and responsibility to inform and educate the public about the operation of their judicial system.

"I have taken the time to speak on these matters of uninformed criticisms and misconceptions of the judiciary because I firmly believe that these and other misconceptions must be corrected if we are to keep and deserve the public's trust and confidence and to preserve judicial independence. The late United States Supreme Court Justice Thurgood Marshall once said, 'We must never forget that the only real source of power that we as judges can tap is the respect of the people.' Without public confidence in an independent judiciary, court orders and judgments would be rendered meaningless, legislative intent would be undermined, chaos would reign, and our system of government would surely deteriorate.

"In our continuing efforts to inform and educate, we are currently organizing a media/judiciary workshop to promote dialogue and cooperation in the exchange of information to facilitate the concerns of both sides pertaining to the reporting of judicial news and the obtaining of judicial information. Also, for the past two years, the judiciary has invited members of the Legislature to learn more about the judicial process through our Day-In-Court Program. Some of you have participated in the program and have remarked how valuable the experience was. The invitation remains open to all of you to spend a day with us at your convenience.

"Let me now take a few minutes and present to you an assessment of Hawaii's judiciary. I must say that after the past year, with its budgetary cuts and RIFs, I wondered when December 1996 rolled around whether the judiciary was entering 1997 or evacuating 1996.

"I share with you, four observations about Hawaii's judiciary. First, in spite of the economic straits and having to do more with less, Hawaii's judiciary is one of the best judicial systems in the nation.

"The excellence of Hawaii's judiciary is the result of the commitment and dedication of all of its employees to deliver the highest quality judicial service to the citizens of Hawaii. Hawaii has much to be proud of its judiciary. Among our

recent professional accomplishments are: (1) a Special Merit Citation from the American Judicature Society for our Domestic Violence Backlog Reduction efforts; (2) an award from the National Institute for Dispute Resolution presented to our Center for Alternative Dispute Resolution for its significant contributions to innovation in public dispute resolution; and (3) the City's 'Project of the Year Award,' honoring the District Court of the First Circuit for its Officer-On-Call Program.

"It is often said that the quality of justice is determined by the quality of judges. Since the inception of the Judicial Performance Program, judicial evaluations statewide indicate that our trial judges have been uniformly rated by attorneys who appear before them as possessing good judicial management skills, comportment, and legal ability, thus providing objective proof that Hawaii's judicial selection process works. The program is being expanded to include per diem judges, and, thereafter, will include all appellate court justices and judges.

"In addition to serving as an invaluable tool for individual self-improvement and planning for continuing judicial education, these evaluations are also available to the Judicial Selection Commission to assist in its review of applicants for appointment or retention. We judges welcome such accountability.

"Our justices and judges have been working tirelessly to address the many critical issues brought before them. In September 1996, the appellate courts instituted temporary, emergency procedures to deal with the large inventory of pending and aging appeals, which numbered 1,327 at the end of fiscal year 1996. Recognizing that the liberty, financial, and emotional interests of your constituents required a more timely disposition, we appellate judges were compelled to resort to issuing summary disposition orders in some cases, memorandum opinions in others, and full, published opinions in only the rarest cases. I wish to emphasize that, notwithstanding these emergency measures, all of the justices and judges have and continue to carefully review and fully consider each case.

"Since September, the number of cases disposed of by way of disposition orders and opinions has more than tripled. And, although we are pleased with these results, we appellate judges strongly believe that litigants are entitled to full, explanatory opinions. We therefore find ourselves with conflicting goals -- that is, timely dispositions via summary disposition orders and shorter memorandum opinions versus issuing full, explanatory opinions that take much more time to write.

"Consequently, it becomes increasingly obvious that neither goal will be adequately met under the current situation. In order to maintain a responsive and effective system of appellate review, the judiciary is seeking authorization for additional positions on our Intermediate Court of Appeals this legislative session.

"My second observation is that, although resources are scarce, the Hawaii Judiciary continues in its effort to provide the people of Hawaii with accessible forums for the fair and prompt resolution of disputes, without undue hardship, cost, or delay. The judiciary continues to research and develop alternative dispute resolution or ADR mechanisms, such as arbitration or mediation. Currently, we have in place eleven ADR programs at all court levels -- district, family, circuit, and appellate -- that enable parties to utilize various ADR mechanisms to resolve their cases outside the courtroom. One of our most recent developments in this area is the mediation program at the appellate level. Although some practitioners initially expressed reservations about the possible success of mediation at such a late stage in a case, 41 percent of the 102 appeals that have been processed through the program were completely settled. In another 7 percent of the cases, the parties either narrowed the issues on appeal or reached partial settlements. Such positive results are due in large part to the



skill of our mediators -- that is, retired justices, judges, and semi-retired, seasoned members of the Bar, serving entirely on a pro bono or free of charge basis.

"Our continuing efforts to expand alternative dispute resolution are not limited to the appellate courts. New trial court rules require attorneys to meet face-to-face -- early in the process -- to discuss whether ADR is appropriate, and the judge may now order the parties to participate in a specific ADR process.

"In our efforts to provide access to the courts by all of our citizens and to address public concerns about our judicial system, the judiciary wholeheartedly supported, through its co-sponsorship with the Hawaii State Bar Association this past fall, the Citizens' Conference on the Civil Justice System. Through this conference, the Judiciary and the Bar created an opportunity for Hawaii's citizens to suggest tangible ways to improve our civil justice system. Over a three-month period, more than 300 members of our community responded to the call for solutions and action. Their hard work culminated in a one-day Citizens' Conference where, through consensus, a number of recommendations were made. The judiciary is committed to making those recommendations that relate to it a reality.

"Of particular significance is the Citizens' Conference recommendation regarding a statewide court interpreter program. As a result of Hawaii's rich ethnic diversity, 22 1/2 percent of your constituents do not speak English at home. This figure -- the fourth highest in the nation -- has significant implications. If the judiciary is to be truly 'accessible' to all, we must be able to service the non-English speaking public. We have trained our judges on the effective use of court interpreters, and we have begun to recruit and register interpreter candidates. Our biennium budget request includes a full-time position to coordinate our efforts in this critical area, and we are respectfully seeking your support.

"In another effort to make Hawaii's courts more accessible, the Supreme Court adopted what is now commonly referred to as 'The No-Bounce Rule.' The rule essentially provides that the courts must accept all documents presented for filing, regardless of form. Although this means more work for the clerks and judges, the no-bounce policy has been well-received by the Bar, individuals who represent themselves, and other court users and represents our on-going commitment to promote substance over form.

"In the current difficult fiscal environment, the public and private sectors alike are turning to technology to help to do more with less. The judiciary is no exception. Accessibility to court information was recently enhanced through the development of the Judiciary Homepage, where you can now find information about caseloads, description of programs, and the latest judiciary news and where we hope you will eventually be able to find court rules, forms, and information on more substantive matters.

"The Video Conferencing Pilot Project, initially used to conduct arraignment and plea hearings for in-custody defendants at OCCC, was recently expanded, allowing public defenders and the adult probation officers to conduct client and intake interviews from their offices with defendants at OCCC. In 1996, the project was awarded additional monies from the Byrne Foundation to evaluate expanding the use of video conferencing even further. Your investment in this project has saved our citizens money and time.

"And, just a few weeks ago, the judiciary formed a public/private partnership for the creation of a document and information access and retrieval system for the First Circuit Court at no cost to the taxpayers. When completed, attorneys will be able to access and print a case document at their computers, twenty-four hours a day, seven days a week, and the

public will have free access to the imaged documents via computers placed in public locations.

"In addition, we recently turned our attention to utilizing electronic document filings and digital signatures in response to Act 203 of the 1996 Legislature.

"The judiciary's capital improvement projects are the most tangible signs of our dedication to making justice accessible. The proposed Family Court Center in Kapolei is a bricks-and-mortar example of our efforts to provide as many avenues as we can through which your constituents may protect their rights. I therefore remain staunch in my support of a Family Court Center in Kapolei.

"My third observation is that Hawaii's judiciary remains flexible in our approaches, consciously seeking out more culturally appropriate dispute resolution alternatives. We recognize that, as the cultural makeup of our society becomes more diverse and the types of conflicts become more varied, our Western form of dispute resolution may not always be the most appropriate. The judiciary has therefore joined the Department of Human Services -- for example -- to develop the Ohana Conferencing Project in Waianae, where professionals work with the extended family to design a service plan to protect a child. Similar programs in New Zealand and Canada have decreased the number of children under court supervision and increased the number of in-family placements for such children. Our family court judges also continue to refer appropriate cases to ho'oponopono where a 'haku,' known and trusted by the parties, assists them in working through their problems.

"In addition to these culturally appropriate alternatives, and in light of society's changing needs, we continue to look beyond our traditional role as adjudicators of disputes. We must do our part to provide assistance of differing types at all stages of an issue. This belief currently is manifested in tangible ways in Hawaii's judiciary. For example, the results of and reactions to the Teen Court and Hawaii Drug Court programs are encouraging. Many youths have appeared before their peers on the 'sentencing jury' of Teen Court and have come away from the experience with a better appreciation of the judicial process and a greater sense of accountability to their community and classmates. Drug Court has been a critical success in reducing recidivism among drug offenders; however, expanded funding for this resource is necessary and is part of our current biennium budget request.

"Our current legislative package also includes a proposal for a \$25.00 surcharge on all matrimonial and paternity actions in the family court. The monies collected are to be used for the education of separating parents. One such program, which is currently staffed entirely by volunteers and known as 'The Kids First Program,' educates separating parents about how to avoid custody litigation, how to help their children cope with the stress of the parents' separation, and how to structure post-separation relationships to avoid conflicts.

"It should not be prohibitively expensive to move our vision of Hawaii's justice system forward, and we look to you for support in fulfilling our commitment to the people of Hawaii. We have submitted a modest budget request, well below the two-year spending ceiling. Although we are the third branch of government, the fact that our budget consists of only 2.7 percent of the state's total budget may cause some to believe that the judiciary is more a twig than a branch.

"My fourth and final observation is that the continuing loss of experienced and seasoned judges will adversely affect the judiciary, and, ultimately, the public. Hawaii's judiciary is committed to administering justice independently, according to law, equally to all people, and with a high level of judicial excellence.

"Judicial excellence, however, can be maintained only if we can continue to attract and retain the best and brightest practitioners in our community. Since 1992, eight experienced, seasoned judges have left the bench; and another, Big Island Judge William Chillingworth, recently notified me that he, too, will be leaving shortly for the private sector. Almost all of these judges have left for higher paying positions. It is significant to note that the average age of these judges -- upon leaving -- is 48.4 years old, far below the mandatory retirement age of 70.

"I believe it is obvious that any further increase in the attrition rate of our judges will have an adverse effect on our justice system and thus on the public. The need to retain experienced judges is apparent. Lawyers who are appointed to judicial office soon realize that lawyering and judging are entirely different. Although knowledge of the law is certainly basic to both, the skills, techniques, and advocacy style of a successful lawyer do not necessarily make a good judge. Just as lawyers gain proficiency through their practice of law, handling numerous cases over many years, judges learn the art of judging through the many cases that they handle on a daily basis.

"When we lose judges after much time, effort, and monies have been spent to raise their level of expertise and productivity -- not because they are ready to retire, but because of a lack of a salary increase -- judicial excellence, as a whole, declines and service to the public is adversely affected.

"Although the honor of public service substitutes, in part, for the monetary rewards of private practice, it will become increasingly more difficult to attract and retain quality jurists without a fair increase in judicial salaries.

"The Judicial Salary Commission's recent report explains that our justices and judges have been without a pay raise for seven years -- the longest of any judiciary in the nation, and that, when you factor in our high cost of living, our rank nationally falls to 47th. The Commission also notes that, during the past seven years, Hawaii's professionally-categorized state government employees, such as high school teachers, unit-13 professional and scientific employees, and University of Hawaii administrative professional and technical employees have received salary increases averaging almost 3 percent annually. And, it appears that they will receive another raise this year. The Commission's report also notes that federal judges have received salary increases totalling approximately 38 percent over the last four years, and, presently, the lowest paid federal magistrate earns almost \$30,000 more than the Chief Justice of the State of Hawaii.

"Please understand that we certainly do not begrudge our fellow government employees their increase in compensation; they all are deserving as each performs meaningful and important public services in a state that has one of the highest costs of living. The same, I believe, should be said of our justices and judges, all of whom indeed recognize and are sensitive to the fact that the state's financial resources have been limited as reflected by our judges agreeing not to request increases the past two years; however, fairness alone indicates that a judicial pay raise this year is appropriate. We therefore request your support and favorable consideration of this critical issue.

"Governor Cayetano, Lieutenant Governor Hirono, Mr. President, Mr. Speaker, and members of the Nineteenth Legislature:

"As you consider and provide for the essential needs of the people, I request that you keep in mind the judicial service guaranteed to all in our Constitution -- that is, the right of every person to an independent forum for the civilized resolution of wrongs and injuries. Our cooperation must precede and extend beyond the appropriation process. To paraphrase former United States Supreme Court Chief Justice Charles Evans Hughes, in

his speech to Congress on its 150th Anniversary: We are all partners in the great enterprise of making democracy work.

"Again, to the leadership and the members of the Nineteenth Legislature: I thank you for the opportunity to deliver this state of the judiciary address. This is an honor for me personally and for all those who labor in the service of justice for Hawaii's people. On behalf of the justices, judges, and employees of Hawaii's judiciary, we look forward to working with you this session. Mahalo."

Speaker Souki then rose to state:

"Chief Justice Moon and honored guests: I want to thank you, Chief Justice, for delivering this very historic and inspiring address to the Joint Legislature. I am sure that members of this Joint Legislature will consider what you have stated with great thought, and may I add, especially the section where you stated that the Legislature holds the highest trump. (Laughter.) Thank you very much for reminding us of what we can do. (More laughter.)

"Also, I wish to remind you that the judiciary may be like a twig, but they are like a steel twig as far as government is concerned.

"I want to thank you all again for being here. Chief Justice Moon, thank you very much.

"I declare this Joint Session adjourned."

At 10:49 o'clock a.m., the Speaker declared the Joint Session adjourned.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof, the following bills passed First Reading by Title and were deferred:

##### Senate Bill

No. 1208 "A BILL FOR AN ACT RELATING TO A HUNTING AREA RESERVES COMMISSION."

Introduced by: Senator Tanaka, by request.

No. 1209 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH."

Introduced by: Senator Tanaka, by request.

No. 1210 "A BILL FOR AN ACT RELATING TO WILDLIFE."

Introduced by: Senator Tanaka.

No. 1211 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Aki.

No. 1212 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CENTER FOR EDUCATIONAL PARTNERSHIPS AND INNOVATIONS TO BE HOUSED IN THE COLLEGE OF EDUCATION AT UH-MANOA."

Introduced by: Senator Aki.

No. 1213 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Aki.

- No. 1214 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO OFFER TEACHER RECRUITMENT INCENTIVES FOR TEACHER SHORTAGE AREAS."  
 Introduced by: Senator Aki.
- No. 1215 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE HOUSING FOR TEACHERS IN RURAL AND REMOTE AREAS."  
 Introduced by: Senator Aki.
- No. 1216 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."  
 Introduced by: Senator Fernandes Salling.
- No. 1217 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR A UNICAMERAL LEGISLATURE."  
 Introduced by: Senators Anderson, Slom.
- No. 1218 "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CULTURAL IMPACT ASSESSMENTS."  
 Introduced by: Senator McCartney.
- No. 1219 "A BILL FOR AN ACT RELATING TO THE HAWAII VISITORS AND CONVENTION BUREAU."  
 Introduced by: Senator McCartney, by request.
- No. 1220 "A BILL FOR AN ACT RELATING TO TOURISM."  
 Introduced by: Senator McCartney, by request.
- No. 1221 "A BILL FOR AN ACT RELATING TO TOURISM."  
 Introduced by: Senator McCartney, by request.
- No. 1222 "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES."  
 Introduced by: Senator McCartney.
- No. 1223 "A BILL FOR AN ACT RELATING TO THE HAWAII WATER CARRIER ACT."  
 Introduced by: Senator Chumbley.
- No. 1224 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."  
 Introduced by: Senator Slom.
- No. 1225 "A BILL FOR AN ACT RELATING TO THE USE TAX."  
 Introduced by: Senator Slom.
- No. 1226 "A BILL FOR AN ACT RELATING TO TAXATION."  
 Introduced by: Senator Slom.
- No. 1227 "A BILL FOR AN ACT RELATING TO TAXATION."  
 Introduced by: Senator Slom.
- No. 1228 "A BILL FOR AN ACT RELATING TO THE CAMPAIGN SPENDING COMMISSION."  
 Introduced by: Senator Slom.
- No. 1229 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF FAMILY PRACTICE AND COMMUNITY HEALTH AT THE JOHN A. BURNS SCHOOL OF MEDICINE, UNIVERSITY OF HAWAII AT MANOA."  
 Introduced by: Senators Bunda, Ige, M.
- No. 1230 "A BILL FOR AN ACT RELATING TO TAXES ON EXPORTED SERVICES."  
 Introduced by: Senator Bunda.
- No. 1231 "A BILL FOR AN ACT RELATING TO USE TAXES."  
 Introduced by: Senator Bunda.
- No. 1232 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."  
 Introduced by: Senator Bunda.
- No. 1233 "A BILL FOR AN ACT RELATING TO MASTER ASSOCIATIONS."  
 Introduced by: Senator Bunda.
- No. 1234 "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES."  
 Introduced by: Senator Fernandes Salling.
- No. 1235 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT."  
 Introduced by: Senator Chumbley.
- No. 1236 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION TO FUND AN ATTENTION DEFICIT DISORDER PROGRAM."  
 Introduced by: Senator Chumbley.
- No. 1237 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE."  
 Introduced by: Senator Chumbley.
- No. 1238 "A BILL FOR AN ACT RELATING TO CONSTITUTIONAL CONVENTION."  
 Introduced by: Senators Chumbley, Matsunaga.
- No. 1239 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."  
 Introduced by: Senators Kanno, Chun Oakland.
- No. 1240 "A BILL FOR AN ACT RELATING TO POLITICAL ACTIVITIES OF CAMPAIGN SPENDING COMMISSIONERS."  
 Introduced by: Senators Kanno, Chun Oakland.
- No. 1241 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION AND EMPLOYEE'S GEOGRAPHIC LOCATION."

Introduced by: Senator Kanno.

No. 1242 "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS."

Introduced by: Senator Kanno.

No. 1243 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION AND SUBSEQUENT NONWORK RELATED INJURIES."

Introduced by: Senator Kanno.

No. 1244 "A BILL FOR AN ACT RELATING TO CONSERVATION OF PLANTS AND WILDLIFE."

Introduced by: Senator Levin.

No. 1245 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SALESPERSONS."

Introduced by: Senator Levin.

No. 1246 "A BILL FOR AN ACT RELATING TO BICYCLES."

Introduced by: Senator Levin.

No. 1247 "A BILL FOR AN ACT RELATING TO PUBLIC BOARDS."

Introduced by: Senator Levin.

No. 1248 "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Introduced by: Senator Levin.

No. 1249 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT."

Introduced by: Senator Levin.

No. 1250 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Mizuguchi, by request.

No. 1251 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Mizuguchi, by request.

No. 1252 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Mizuguchi, by request.

No. 1253 "A BILL FOR AN ACT RELATING TO MILK."

Introduced by: Senator Mizuguchi, by request.

No. 1254 "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS."

Introduced by: Senator Mizuguchi, by request.

No. 1255 "A BILL FOR AN ACT RELATING TO IRRIGATION WATER PROJECTS."

Introduced by: Senator Mizuguchi, by request.

No. 1256 "A BILL FOR AN ACT RELATING TO LIVESTOCK OWNERSHIP AND MOVEMENT CERTIFICATION AND ENFORCEMENT OF CITATION AND SUMMONS."

Introduced by: Senator Mizuguchi, by request.

No. 1257 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Mizuguchi, by request.

No. 1258 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Mizuguchi, by request.

No. 1259 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1260 "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."

Introduced by: Senator Mizuguchi, by request.

No. 1261 "A BILL FOR AN ACT RELATING TO APPEALS FROM DECISIONS OF ADMINISTRATIVE AGENCIES."

Introduced by: Senator Mizuguchi, by request.

No. 1262 "A BILL FOR AN ACT RELATING TO POLITICAL SIGNS."

Introduced by: Senator Mizuguchi, by request.

No. 1263 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."

Introduced by: Senator Mizuguchi, by request.

No. 1264 "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1265 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION."

Introduced by: Senator Mizuguchi, by request.

No. 1266 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1267 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1268 "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT."

Introduced by: Senator Mizuguchi, by request.

No. 1269 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN."

- Introduced by: Senator Mizuguchi, by request.
- No. 1270 "A BILL FOR AN ACT RELATING TO COLLECTIONS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1271 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1272 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."  
Introduced by: Senator Mizuguchi, by request.
- No. 1273 "A BILL FOR AN ACT RELATING TO VICTIMS OF SEXUAL ASSAULT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1274 "A BILL FOR AN ACT RELATING TO REGISTRATION OF SEX OFFENDERS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1275 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1276 "A BILL FOR AN ACT RELATING TO HABITUAL CRIMINAL BEHAVIOR."  
Introduced by: Senator Mizuguchi, by request.
- No. 1277 "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1278 "A BILL FOR AN ACT RELATING TO HABITUAL THEFT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1279 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1280 "A BILL FOR AN ACT RELATING TO HOMICIDE."  
Introduced by: Senator Mizuguchi, by request.
- No. 1281 "A BILL FOR AN ACT RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1282 "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1283 "A BILL FOR AN ACT RELATING TO MISCONDUCT BY PUBLIC OFFICERS OR EMPLOYEES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1284 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE."  
Introduced by: Senator Mizuguchi, by request.
- Introduced by: Senator Mizuguchi, by request.
- No. 1285 "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1286 "A BILL FOR AN ACT RELATING TO RETAIL TOBACCO SALES TO MINORS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1287 "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1288 "A BILL FOR AN ACT RELATING TO ASSISTANT ATTORNEYS GENERAL."  
Introduced by: Senator Mizuguchi, by request.
- No. 1289 "A BILL FOR AN ACT RELATING TO ROBBERY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1290 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL."  
Introduced by: Senator Mizuguchi, by request.
- No. 1291 "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1292 "A BILL FOR AN ACT RELATING TO VACATION ALLOWANCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1293 "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1294 "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1295 "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1296 "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1297 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW."  
Introduced by: Senator Mizuguchi, by request.
- No. 1298 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INJURIES COVERED."

- Introduced by: Senator Mizuguchi, by request.
- No. 1299 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SANCTIONS AGAINST NON-PHYSICIANS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1300 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1301 "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW."  
Introduced by: Senator Mizuguchi, by request.
- No. 1302 "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL."  
Introduced by: Senator Mizuguchi, by request.
- No. 1303 "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1304 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1305 "A BILL FOR AN ACT RELATING TO FIREWORKS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1306 "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW."  
Introduced by: Senator Mizuguchi, by request.
- No. 1307 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH."  
Introduced by: Senator Mizuguchi, by request.
- No. 1308 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1309 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1310 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1311 "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1312 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1313 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1314 "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL HEALTH CARE ADMINISTRATOR."  
Introduced by: Senator Mizuguchi, by request.
- No. 1315 "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1316 "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE."  
Introduced by: Senator Mizuguchi, by request.
- No. 1317 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1318 "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1319 "A BILL FOR AN ACT RELATING TO THE ELECTRONIC FILING OF TAX RETURNS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1320 "A BILL FOR AN ACT RELATING TO PAYMENTS TO THE STATE BY ELECTRONIC FUNDS TRANSFER."  
Introduced by: Senator Mizuguchi, by request.
- No. 1321 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX EXEMPTION OF CERTAIN SCIENTIFIC CONTRACTS WITH THE UNITED STATES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1322 "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1323 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1324 "A BILL FOR AN ACT RELATING TO THE LICENSING OF CERTAIN SELLERS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1325 "A BILL FOR AN ACT RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1326 "A BILL FOR AN ACT RELATING TO PERJURY."  
Introduced by: Senator Mizuguchi, by request.

No. 1327 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS."

Introduced by: Senator Mizuguchi, by request.

No. 1328 "A BILL FOR AN ACT RELATING TO TAX RELIEF FOR LONG-TERM CARE EXPENSES FOR LONG-TERM HEALTH NEEDS."

Introduced by: Senator Mizuguchi, by request.

No. 1329 "A BILL FOR AN ACT RELATING TO AN INCOME TAX DEDUCTION FOR TUITION EXPENSES."

Introduced by: Senator Mizuguchi, by request.

No. 1330 "A BILL FOR AN ACT RELATING TO TAX CREDITS TO FACILITATE REGULATORY OVERSIGHT BY THE INSURANCE COMMISSIONER."

Introduced by: Senator Mizuguchi, by request.

No. 1331 "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS."

Introduced by: Senator Mizuguchi, by request.

No. 1332 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1333 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1334 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1335 "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1336 "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1337 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1338 "A BILL FOR AN ACT RELATING TO COUNTERFEITING."

Introduced by: Senator Mizuguchi, by request.

No. 1339 "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM."

Introduced by: Senator Mizuguchi, by request.

No. 1340 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1341 "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY."

Introduced by: Senator Mizuguchi, by request.

No. 1342 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1343 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS RELATING TO EDUCATION."

Introduced by: Senator Tam.

No. 1344 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Tam.

No. 1345 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT, CONTROL, DISTRIBUTION, AND SALE OF PETROLEUM PRODUCTS."

Introduced by: Senator Tam.

No. 1346 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PARENT-COMMUNITY NETWORKING CENTERS."

Introduced by: Senator Tam.

No. 1347 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Tam.

No. 1348 "A BILL FOR AN ACT RELATING TO HAWAII QUEST."

Introduced by: Senator Chun Oakland.

No. 1349 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."

Introduced by: Senator Chun Oakland.

No. 1350 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senator Chun Oakland.

No. 1351 "A BILL FOR AN ACT RELATING TO FEDERAL BENEFITS."

Introduced by: Senators Chun Oakland, Kanno.

No. 1352 "A BILL FOR AN ACT RELATING TO BENEFITS COUNSELORS FOR PERSONS WITH DISABILITIES."

Introduced by: Senator Chun Oakland.

No. 1353 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 1354 "A BILL FOR AN ACT RELATING TO ALTERNATIVES TO INCARCERATION."

Introduced by: Senators Matsunaga, Chumbley.

No. 1355 "A BILL FOR AN ACT RELATING TO ELECTIONS."

- Introduced by: Senator Matsunaga.
- No. 1356 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."
- Introduced by: Senator Matsunaga.
- No. 1357 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 1358 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Ige, D.
- No. 1359 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Ige, D.
- No. 1360 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Ige, D.
- No. 1361 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES."
- Introduced by: Senators Ige, D., Baker.
- No. 1362 "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS."
- Introduced by: Senators Ige, D., Baker.
- No. 1363 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."
- Introduced by: Senators Baker, Ige, D.
- No. 1364 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MOLOKAI TELEMARKEETING PROJECT."
- Introduced by: Senators Baker, Chumbley, Tanaka.
- No. 1365 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE OPERATION OF A MOLOKAI TO MAUI BOAT SERVICE."
- Introduced by: Senators Baker, Chumbley.
- No. 1366 "A BILL FOR AN ACT MAKING AN APPROPRIATION OUT OF THE STATE HIGHWAY FUND FOR SUPPLIES AND MAINTENANCE OF TREES PLANTED ALONG KAAHUMANU HIGHWAY AND HANA HIGHWAY ON MAUI."
- Introduced by: Senators Baker, Chumbley.
- No. 1367 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HOUSING AUTHORITY."
- Introduced by: Senators Baker, Chumbley.
- No. 1368 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR DETERMINING THE FEASIBILITY OF ESTABLISHING A WOMEN'S COMMUNITY CORRECTIONAL CENTER AT THE CURRENT SITE OF THE KUNIA COMMUNICATIONS TUNNEL IN WAIPAHU, OAHU."
- Introduced by: Senator Ige, M.
- No. 1369 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."
- Introduced by: Senator Ige, M.
- No. 1370 "A BILL FOR AN ACT RELATING TO THE STATE LIBRARY SYSTEM."
- Introduced by: Senator Ige, M.
- No. 1371 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senator Mizuguchi, by request.
- No. 1372 "A BILL FOR AN ACT RELATING TO PROCUREMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 1373 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT."
- Introduced by: Senator Mizuguchi, by request.
- No. 1374 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."
- Introduced by: Senators Solomon, Baker, Chun Oakland, Iwase, Kanno, McCartney.
- No. 1375 "A BILL FOR AN ACT RELATING TO THE HIGHWAY FUND."
- Introduced by: Senators Ihara, Fukunaga, Taniguchi.
- No. 1376 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 10TH SENATORIAL DISTRICT."
- Introduced by: Senator Ihara.
- No. 1377 "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU."
- Introduced by: Senators Ihara, Mizuguchi, McCartney.
- No. 1378 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT."
- Introduced by: Senator Ihara, by request.
- No. 1379 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS FOR ROAD IMPROVEMENT PROJECTS RELATED TO THE HAWAII CONVENTION CENTER."
- Introduced by: Senators Ihara, Fukunaga, Taniguchi.
- No. 1380 "A BILL FOR AN ACT RELATING TO GAMBLING."
- Introduced by: Senator Anderson.
- No. 1381 "A BILL FOR AN ACT RELATING TO HORSE RACING."
- Introduced by: Senator Anderson.



No. 1382 "A BILL FOR AN ACT RELATING TO SHIPBOARD GAMING."

Introduced by: Senator Anderson.

No. 1383 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS WITHIN THE TWENTY-FIFTH SENATORIAL DISTRICT."

Introduced by: Senator Anderson.

No. 1384 "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE."

Introduced by: Senator Kawamoto.

No. 1385 "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES."

Introduced by: Senators Kawamoto, Chun Oakland, Sakamoto.

No. 1386 "A BILL FOR AN ACT RELATING TO ASSAULT."

Introduced by: Senators Kawamoto, Chumbley, Matsunaga, McCartney, Sakamoto.

No. 1387 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."

Introduced by: Senators Kawamoto, Iwase, Solomon.

No. 1388 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kawamoto, Kanno, Sakamoto.

No. 1389 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, RELATING TO JUDICIAL REAPPOINTMENT."

Introduced by: Senators Sakamoto, Bunda, Solomon.

No. 1390 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 1, OF THE HAWAII CONSTITUTION, TO PROVIDE GUIDANCE TO THE JUDICIARY IN THEIR CONSTRUCTION OF STATUTES AND THE CONSTITUTION."

Introduced by: Senators Sakamoto, Anderson, Bunda, Solomon.

No. 1391 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Senator Sakamoto.

No. 1392 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Senators Sakamoto, Kawamoto, Baker, Fernandes Salling, Fukunaga, Matsunaga, McCartney, Solomon.

No. 1393 "A BILL FOR AN ACT RELATING TO SUNSET REVIEWS."

Introduced by: Senators Sakamoto, Kawamoto, Baker, Matsunaga, McCartney, Solomon.

No. 1394 "A BILL FOR AN ACT RELATING TO CABARET LICENSE."

Introduced by: Senators Fukunaga, Ihara, Taniguchi.

No. 1395 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONVENTION CENTER."

Introduced by: Senator Taniguchi.

No. 1396 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1397 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1398 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1399 "A BILL FOR AN ACT RELATING TO PRIOR CONVICTIONS, CRIMINAL RECORDS, AND NONCRIMINAL STANDARDS."

Introduced by: Senator Mizuguchi, by request.

No. 1400 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1401 "A BILL FOR AN ACT RELATING TO PERFORMANCE RATINGS OF EMPLOYEES IN THE CIVIL SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1402 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1403 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE AND EXEMPTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1404 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE FOR PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1405 "A BILL FOR AN ACT RELATING TO OFFICE HOURS FOR PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1406 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE COUNTY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1407 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS AND MAKING AN APPROPRIATION FOR THE COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS FOR HAZARD MITIGATION MEASURES."

Introduced by: Senator Mizuguchi, by request.

No. 1408 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI."

Introduced by: Senator Mizuguchi, by request.

No. 1409 "A BILL FOR AN ACT RELATING TO PREFERENCE TO BIDDERS ON COUNTY CONTRACTS."

Introduced by: Senator Mizuguchi, by request.

No. 1410 "A BILL FOR AN ACT RELATING TO DISASTER AND EMERGENCY PREPAREDNESS TRUST FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1411 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY."

Introduced by: Senator Mizuguchi, by request.

No. 1412 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY IMMUNITY."

Introduced by: Senator Mizuguchi, by request.

No. 1413 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Senator Taniguchi.

No. 1414 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE RESEARCH AND DEVELOPMENT."

Introduced by: Senator Taniguchi.

No. 1415 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF STATEWIDE AGRICULTURAL ACTIVITIES."

Introduced by: Senator Taniguchi.

No. 1416 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1417 "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS."

Introduced by: Senator Mizuguchi, by request.

No. 1418 "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 1419 "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS."

Introduced by: Senator Mizuguchi, by request.

No. 1420 "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION."

Introduced by: Senator Mizuguchi, by request.

No. 1421 "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS."

Introduced by: Senator Mizuguchi, by request.

No. 1422 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Mizuguchi, by request.

No. 1423 "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1424 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 1425 "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1426 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 1427 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 1428 "A BILL FOR AN ACT RELATING TO FILM PERMITTING."

Introduced by: Senator Mizuguchi, by request.

No. 1429 "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1430 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Mizuguchi, by request.

No. 1431 "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION."

Introduced by: Senator Mizuguchi, by request.

No. 1432 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT CORPORATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1433 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING."

Introduced by: Senator Mizuguchi, by request.

No. 1434 "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR HOTEL RENOVATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1435 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1436 "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND."



No. 1462 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senator Mizuguchi, by request.

No. 1463 "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1464 "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1465 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1466 "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS."

Introduced by: Senator Mizuguchi, by request.

No. 1467 "A BILL FOR AN ACT RELATING TO CASH MANAGEMENT OF STATE FUNDS."

Introduced by: Senator Mizuguchi, by request.

No. 1468 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION TO REPEAL THE EXCESS REVENUE TAX REFUND AND ESTABLISH AN EMERGENCY AND BUDGET STABILIZATION FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1469 "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1470 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX."

Introduced by: Senator Mizuguchi, by request.

No. 1471 "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1472 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1473 "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS."

Introduced by: Senator Mizuguchi, by request.

No. 1474 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Senator Mizuguchi, by request.

No. 1475 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR FIRST-TIME HOMEBUYERS"

Introduced by: Senator Mizuguchi, by request.

No. 1476 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1477 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1478 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1479 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1480 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1481 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1482 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1483 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senator Mizuguchi, by request.

No. 1484 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1485 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1486 "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION."

Introduced by: Senator Mizuguchi, by request.

No. 1487 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Senator Mizuguchi, by request.

No. 1488 "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS."

Introduced by: Senator Mizuguchi, by request.

No. 1489 "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1490 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Mizuguchi, by request.

No. 1491 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senator Mizuguchi, by request.

No. 1492 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 1493 "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES."

Introduced by: Senator Mizuguchi, by request.

No. 1494 "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1495 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE."

Introduced by: Senator Mizuguchi, by request.

No. 1496 "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE."

Introduced by: Senator Mizuguchi, by request.

No. 1497 "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 1498 "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS."

Introduced by: Senator Mizuguchi, by request.

No. 1499 "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION."

Introduced by: Senator Mizuguchi, by request.

No. 1500 "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES."

Introduced by: Senator Mizuguchi, by request.

No. 1501 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1502 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1503 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1504 "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION."

Introduced by: Senator Mizuguchi, by request.

No. 1505 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1506 "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY."

Introduced by: Senator Mizuguchi, by request.

No. 1507 "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS."

Introduced by: Senator Mizuguchi, by request.

No. 1508 "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1509 "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1510 "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1511 "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1512 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Mizuguchi, by request.

No. 1513 "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY."

Introduced by: Senator Mizuguchi, by request.

No. 1514 "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE."

Introduced by: Senator Mizuguchi, by request.

No. 1515 "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS."

Introduced by: Senator Mizuguchi, by request.

No. 1516 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1517 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1518 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS."

Introduced by: Senator Mizuguchi, by request.

No. 1519 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Senator Mizuguchi, by request.

No. 1520 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

Introduced by: Senator Mizuguchi, by request.

No. 1521 "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY."

Introduced by: Senator Mizuguchi, by request.

No. 1522 "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS."

Introduced by: Senator Mizuguchi, by request.

No. 1523 "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS."

Introduced by: Senator Mizuguchi, by request.

No. 1524 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Senator Mizuguchi, by request.

No. 1525 "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL."

Introduced by: Senator Mizuguchi, by request.

No. 1526 "A BILL FOR AN ACT RELATING TO APPOINTMENT OF BOARD MEMBERS."

Introduced by: Senator Mizuguchi, by request.

No. 1527 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1528 "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD."

Introduced by: Senator Mizuguchi, by request.

No. 1529 "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS."

Introduced by: Senator Mizuguchi, by request.

No. 1530 "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES."

Introduced by: Senator Mizuguchi, by request.

No. 1531 "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS."

Introduced by: Senator Mizuguchi, by request.

No. 1532 "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS."

Introduced by: Senator Mizuguchi, by request.

No. 1533 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1534 "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING."

Introduced by: Senator Mizuguchi, by request.

No. 1535 "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1536 "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS."

Introduced by: Senator Mizuguchi, by request.

No. 1537 "A BILL FOR AN ACT RELATING TO TELEMEDICINE."

Introduced by: Senator Mizuguchi, by request.

No. 1538 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 1539 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 1540 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Mizuguchi, by request.

No. 1541 "A BILL FOR AN ACT RELATING TO BENEFITS FOR EMPLOYEES IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 1542 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD."

Introduced by: Senator Mizuguchi, by request.

No. 1543 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Mizuguchi, by request.

No. 1544 "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 1545 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1546 "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS."

Introduced by: Senator Mizuguchi, by request.

No. 1547 "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS."

Introduced by: Senator Mizuguchi, by request.

No. 1548 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1549 "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS."

Introduced by: Senator Mizuguchi, by request.

No. 1550 "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT AND FOR THE BLIND SHOP REVOLVING AND HANDICRAFT FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1551 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Mizuguchi, by request.

No. 1552 "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS."

Introduced by: Senator Mizuguchi, by request.

No. 1553 "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES."

Introduced by: Senator Mizuguchi, by request.

No. 1554 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Senator Mizuguchi, by request.

No. 1555 "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE."

Introduced by: Senator Mizuguchi, by request.

No. 1556 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."

Introduced by: Senator Mizuguchi, by request.

No. 1557 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Mizuguchi, by request.

No. 1558 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING."

Introduced by: Senator Mizuguchi, by request.

No. 1559 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 1560 "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1561 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 1562 "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS."

Introduced by: Senator Mizuguchi, by request.

No. 1563 "A BILL FOR AN ACT RELATING TO SAFE STORAGE OF FIREARMS."

Introduced by: Senator Mizuguchi, by request.

No. 1564 "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1565 "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION."

Introduced by: Senator Mizuguchi, by request.

No. 1566 "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION CONFIDENTIALITY."

Introduced by: Senator Mizuguchi, by request.

No. 1567 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Senator Mizuguchi, by request.

No. 1568 "A BILL FOR AN ACT RELATING TO RETAIL SALES OF TOBACCO PRODUCTS."

Introduced by: Senator Mizuguchi, by request.

No. 1569 "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX AND TOBACCO TAX LAW."

Introduced by: Senator Mizuguchi, by request.

No. 1570 "A BILL FOR AN ACT RELATING TO PSYCHIATRIC REHABILITATION PROGRAMS"

Introduced by: Senator Mizuguchi, by request.

No. 1571 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS."

Introduced by: Senator Mizuguchi, by request.

No. 1572 "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 1573 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Senator Mizuguchi, by request.

No. 1574 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Senator Mizuguchi, by request.

No. 1575 "A BILL FOR AN ACT RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATIONS."

Introduced by: Senator Mizuguchi, by request.

No. 1576 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Senator Mizuguchi, by request.

No. 1577 "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT"

- Introduced by: Senator Mizuguchi, by request.
- No. 1578 "A BILL FOR AN ACT RELATING TO GLASS RECYCLING."  
Introduced by: Senator Mizuguchi, by request.
- No. 1579 "A BILL FOR AN ACT RELATING TO DRINKING WATER."  
Introduced by: Senator Mizuguchi, by request.
- No. 1580 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1581 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1582 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1583 "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1584 "A BILL FOR AN ACT RELATING TO HEALTH PLANNING."  
Introduced by: Senator Mizuguchi, by request.
- No. 1585 "A BILL FOR AN ACT RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM."  
Introduced by: Senator Mizuguchi, by request.
- No. 1586 "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL."  
Introduced by: Senator Mizuguchi, by request.
- No. 1587 "A BILL FOR AN ACT RELATING TO WASTEWATER."  
Introduced by: Senator Mizuguchi, by request.
- No. 1588 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."  
Introduced by: Senator Mizuguchi, by request.
- No. 1589 "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW."  
Introduced by: Senator Mizuguchi, by request.
- No. 1590 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICE AREA BOARDS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1591 "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION TRUST FUND."  
Introduced by: Senator Mizuguchi, by request.
- No. 1592 "A BILL FOR AN ACT RELATING TO EXPLOSIVES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1593 "A BILL FOR AN ACT RELATING TO RECORDATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1594 "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND."  
Introduced by: Senator Mizuguchi, by request.
- No. 1595 "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1596 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1597 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1598 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1599 "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE."  
Introduced by: Senator Mizuguchi, by request.
- No. 1600 "A BILL FOR AN ACT RELATING TO STATE PARKS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1601 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1602 "A BILL FOR AN ACT RELATING TO WATER RESOURCE MANAGEMENT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1603 "A BILL FOR AN ACT RELATING TO FOREST RESERVES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1604 "A BILL FOR AN ACT RELATING TO CONSERVATION LICENSE PLATES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1605 "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM."  
Introduced by: Senator Mizuguchi, by request.
- No. 1606 "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT."  
Introduced by: Senator Mizuguchi, by request.



No. 1607 "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION."

Introduced by: Senator Mizuguchi, by request.

No. 1608 "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE."

Introduced by: Senator Mizuguchi, by request.

No. 1609 "A BILL FOR AN ACT RELATING TO KAHO'OLAWA PENALTIES."

Introduced by: Senator Mizuguchi, by request.

No. 1610 "A BILL FOR AN ACT RELATING TO THE REVIEW OF PROPOSED GOVERNMENT PROJECTS."

Introduced by: Senator Mizuguchi, by request.

No. 1611 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1612 "A BILL FOR AN ACT RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1613 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1614 "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1615 "A BILL FOR AN ACT RELATING TO THE COASTAL ZONE MANAGEMENT PROGRAM."

Introduced by: Senator Mizuguchi, by request.

No. 1616 "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES."

Introduced by: Senator Mizuguchi, by request.

No. 1617 "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY."

Introduced by: Senator Mizuguchi, by request.

No. 1618 "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1619 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."

Introduced by: Senator Mizuguchi, by request.

No. 1620 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY."

Introduced by: Senator Mizuguchi, by request.

No. 1621 "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES."

Introduced by: Senator Mizuguchi, by request.

No. 1622 "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS."

Introduced by: Senator Mizuguchi, by request.

No. 1623 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1624 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1625 "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Senator Mizuguchi, by request.

No. 1626 "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC."

Introduced by: Senator Mizuguchi, by request.

No. 1627 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1628 "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION"

Introduced by: Senator Mizuguchi, by request.

No. 1629 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Mizuguchi, by request.

No. 1630 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1631 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Senator Mizuguchi, by request.

No. 1632 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Mizuguchi, by request.

No. 1633 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi, by request.

No. 1634 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Mizuguchi, by request.

No. 1635 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senator Mizuguchi, by request.

No. 1636 "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER."

- Introduced by: Senator Mizuguchi, by request.
- No. 1637 "A BILL FOR AN ACT RELATING TO GLASS RECYCLING."  
Introduced by: Senator Mizuguchi, by request.
- No. 1638 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET."  
Introduced by: Senator Mizuguchi, by request.
- No. 1639 "A BILL FOR AN ACT RELATING TO ABANDONED PROPERTY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1640 "A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1641 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1642 "A BILL FOR AN ACT RELATING TO SECTIONS 10-13 AND 10-14.6, HAWAII REVISED STATUTES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1643 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1644 "A BILL FOR AN ACT RELATING TO THE CEDED LANDS TRUST."  
Introduced by: Senator Mizuguchi, by request.
- No. 1645 "A BILL FOR AN ACT RELATING TO EXEMPTION OF STATE FUEL TAX ON COUNTY TRANSIT SYSTEM."  
Introduced by: Senator Mizuguchi, by request.
- No. 1646 "A BILL FOR AN ACT RELATING TO SPECIAL TRANSPORTATION SERVICE FOR PERSONS WITH A DISABILITY."  
Introduced by: Senator Mizuguchi, by request.
- No. 1647 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1648 "A BILL FOR AN ACT RELATING TO EXEMPTION OF GENERAL EXCISE TAX ON COUNTY TRANSIT SYSTEMS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1649 "A BILL FOR AN ACT RELATING TO STATE OF HAWAII GRANT-IN-AID FOR COUNTY TRANSIT SYSTEMS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1650 "A BILL FOR AN ACT RELATING TO NOISE CONTROL."  
Introduced by: Senator Mizuguchi, by request.
- No. 1651 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALA WAI CANAL WATERSHED AREAS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1652 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."  
Introduced by: Senator Mizuguchi, by request.
- No. 1653 "A BILL FOR AN ACT RELATING TO LEAVE SHARING."  
Introduced by: Senator Mizuguchi, by request.
- No. 1654 "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF POSITIONS FROM CIVIL SERVICE."  
Introduced by: Senator Mizuguchi, by request.
- No. 1655 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."  
Introduced by: Senator Mizuguchi, by request.
- No. 1656 "A BILL FOR AN ACT RELATING TO LICENSE PLATES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1657 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1658 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT."  
Introduced by: Senator Mizuguchi, by request.
- No. 1659 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES EXEMPTIONS FROM REAL PROPERTY TAXES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1660 "A BILL FOR AN ACT RELATING TO TAX APPEALS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1661 "A BILL FOR AN ACT RELATING TO CONCESSIONS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1662 "A BILL FOR AN ACT RELATING TO BONDS."  
Introduced by: Senator Mizuguchi, by request.
- No. 1663 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."  
Introduced by: Senator Mizuguchi, by request.
- No. 1664 "A BILL FOR AN ACT RELATING TO COUNTY ZONING MAP ADMINISTRATION."  
Introduced by: Senator Mizuguchi, by request.

No. 1665 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1666 "A BILL FOR AN ACT RELATING TO COMPOSTING IN THE STATE AGRICULTURAL DISTRICTS."

Introduced by: Senator Mizuguchi, by request.

No. 1667 "A BILL FOR AN ACT RELATING TO THE HIGHWAY FUND."

Introduced by: Senator Mizuguchi, by request.

No. 1668 "A BILL FOR AN ACT RELATING TO ON-STREET PARKING STALLS."

Introduced by: Senator Mizuguchi, by request.

No. 1669 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALAKAUA AVENUE BRIDGE WIDENING PROJECT."

Introduced by: Senator Mizuguchi, by request.

No. 1670 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PLANNING STUDY/ENVIRONMENTAL ASSESSMENT FOR THE KALAKAUA AVENUE WIDENING BETWEEN ALA WAI BOULEVARD AND ENA ROAD PROJECT."

Introduced by: Senator Mizuguchi, by request.

No. 1671 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPIOLANI BOULEVARD WIDENING BETWEEN KAHEKA STREET AND HAUOLI STREET PROJECT."

Introduced by: Senator Mizuguchi, by request.

No. 1672 "A BILL FOR AN ACT RELATING TO GOVERNMENT LIABILITY."

Introduced by: Senator Mizuguchi, by request.

No. 1673 "A BILL FOR AN ACT RELATING TO EMERGENCY MEETINGS OF PUBLIC AGENCIES."

Introduced by: Senator Mizuguchi, by request.

No. 1674 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REALIGNMENT OF FARRINGTON HIGHWAY AT MAKAHA BEACH PARK."

Introduced by: Senator Mizuguchi, by request.

No. 1675 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senator Mizuguchi, by request.

No. 1676 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES; TELECOMMUNICATIONS PROVIDERS; AND FRANCHISE TAXES."

Introduced by: Senator Mizuguchi, by request.

No. 1677 "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM GENERAL EXCISE TAX."

Introduced by: Senator Mizuguchi, by request.

## ADJOURNMENT

At 8:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 23, 1997.

## SIXTH DAY

Thursday, January 23, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Shelly Hill of the Salvation Army, after which the Roll was called showing all Senators present with the exception of Senators Aki, Anderson and Matsuura who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 102 to 104) were read by the Clerk and were placed on file:

Gov. Msg. No. 102, dated December 30, 1996, transmitting the report, "A Strategic Plan for Hawaii Public Television: A Vision for the 21st Century," prepared by the Hawaii Public Broadcasting Authority pursuant to S.R. No. 198 (1996).

Gov. Msg. No. 103, dated January 3, 1997, transmitting a report prepared by the Department of the Attorney General in response to H.R. No. 244 (1996), requesting a study on video conferencing out-of-state witnesses to facilitate the prosecution of criminals who target Hawaii visitors.

Gov. Msg. No. 104, dated January 10, 1997, transmitting the "Final Examination and Report of the Workers' Compensation Assigned Risk Pool," prepared by the Department of Commerce and Consumer Affairs, Insurance Division, pursuant to Act 234, SLH 1995.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 12, from the State Auditor dated January 17, 1997, transmitting a report, "Audit of the Special Compensation Fund of the Workers' Compensation System" (Report No. 97-3), was read by the Clerk and was placed on file.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills introduced on Tuesday, January 24, 1997:

Senate Bill Referred to:

No. 1129 Committee on Education, then to the Committee on Ways and Means

No. 1130 Committee on Education, then to the Committee on Ways and Means

No. 1131 Committee on Education, then to the Committee on Ways and Means

No. 1132 Committee on Education, then to the Committee on Judiciary

No. 1133 Committee on Education, then to the Committee on Ways and Means

No. 1134 Committee on Economic Development, then to the Committee on Ways and Means

No. 1135 Committee on Health and Environment, then to the Committee on Ways and Means

No. 1136 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1137 Committee on Education, then to the Committee on Ways and Means

No. 1138 Committee on Commerce, Consumer Protection, and Information Technology

No. 1139 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 1140 Committee on Health and Environment, then to the Committee on Ways and Means

No. 1141 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1142 Committee on Human Resources, then to the Committee on Ways and Means

No. 1143 Committee on Human Resources, then to the Committee on Ways and Means

No. 1144 Committee on Human Resources

No. 1145 Committee on Human Resources, then to the Committee on Ways and Means

No. 1146 Committee on Human Resources, then to the Committee on Ways and Means

No. 1147 Committee on Judiciary

No. 1148 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1149 Committee on Ways and Means

No. 1150 Committee on Human Resources

No. 1151 Committee on Ways and Means

No. 1152 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 1153 Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 1154 Committee on Government Operations and Housing

No. 1155 Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means

No. 1156 Committee on Ways and Means

No. 1157 Committee on Human Resources

No. 1158 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means

- No. 1159 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1160 Committee on Economic Development, then to the Committee on Transportation and Intergovernmental Affairs
- No. 1161 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1162 Committee on Economic Development, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1163 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1164 Committee on Education, then to the Committee on Ways and Means
- No. 1165 Committee on Economic Development
- No. 1166 Committee on Education, then to the Committee on Ways and Means
- No. 1167 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1168 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1169 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1170 Committee on Health and Environment
- No. 1171 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1172 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1173 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1174 Committee on Transportation and Intergovernmental Affairs
- No. 1175 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1176 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1177 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1178 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1179 Committee on Education, then to the Committee on Ways and Means
- No. 1180 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1181 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1182 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1183 Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1184 Committee on Human Resources
- No. 1185 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1186 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1187 Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1188 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 1189 Committee on Education, then to the Committee on Ways and Means
- No. 1190 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1191 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1192 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1193 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1194 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1195 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1196 Committee on Transportation and Intergovernmental Affairs
- No. 1197 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1198 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1199 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1200 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1201 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1202 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

- No. 1203 Committee on Judiciary
- No. 1204 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1205 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1206 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1207 Committee on Transportation and Intergovernmental Affairs

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 4:30 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:42 o'clock a.m., the following bills passed First Reading by Title and were deferred:

#### Senate Bill

- No. 1678 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senator Tam.
- No. 1679 "A BILL FOR AN ACT RELATING TO ALTERNATIVES TO INCARCERATION."  
Introduced by: Senator Iwase, by request.
- No. 1680 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WORKERS' COMPENSATION PROGRAM IN THE DEPARTMENT OF EDUCATION."  
Introduced by: Senator Aki.
- No. 1681 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WORKERS' COMPENSATION WAGE REPLACEMENT COSTS IN THE DEPARTMENT OF EDUCATION."  
Introduced by: Senator Aki.
- No. 1682 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN UNEMPLOYMENT INSURANCE COST REDUCTION PROGRAM IN THE DEPARTMENT OF EDUCATION."  
Introduced by: Senator Aki.
- No. 1683 "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE."  
Introduced by: Senator Aki.
- No. 1684 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."  
Introduced by: Senator Iwase.
- No. 1685 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT, CONTROL, DISTRIBUTION, AND SALE OF PETROLEUM PRODUCTS."  
Introduced by: Senator Iwase.
- No. 1686 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HONOLULU COMMUNITY COLLEGE, UNIVERSITY OF HAWAII."  
Introduced by: Senator Iwase.
- No. 1687 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER EDUCATION."  
Introduced by: Senator Fernandes Salling.
- No. 1688 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."  
Introduced by: Senator McCartney.
- No. 1689 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."  
Introduced by: Senator McCartney.
- No. 1690 "A BILL FOR AN ACT RELATING TO DEMOCRATICALLY FINANCED POLITICAL CAMPAIGNS."  
Introduced by: Senator McCartney.
- No. 1691 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Senator McCartney.
- No. 1692 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."  
Introduced by: Senator McCartney.
- No. 1693 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Senator Bunda.
- No. 1694 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."  
Introduced by: Senator Bunda, by request.
- No. 1695 "A BILL FOR AN ACT RELATING TO VEHICLE TAXES."  
Introduced by: Senator Bunda.
- No. 1696 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."  
Introduced by: Senator Bunda.
- No. 1697 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."  
Introduced by: Senator Bunda.
- No. 1698 "A BILL FOR AN ACT RELATING TO LAND USE."  
Introduced by: Senator Solomon.
- No. 1699 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE TAXATION."  
Introduced by: Senators Fernandes Salling, Fukunaga.
- No. 1700 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT FOR HOME SECURITY SYSTEMS."

- Introduced by: Senator Ige, M.
- No. 1701 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Senator Ige, M.
- No. 1702 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."
- Introduced by: Senator Slom.
- No. 1703 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."
- Introduced by: Senators Chumbley, McCartney.
- No. 1704 "A BILL FOR AN ACT RELATING TO PLANT PESTS."
- Introduced by: Senator Chumbley.
- No. 1705 "A BILL FOR AN ACT RELATING TO ABUSE."
- Introduced by: Senator Matsunaga.
- No. 1706 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."
- Introduced by: Senator Matsunaga.
- No. 1707 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 1708 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senators Matsunaga, Chumbley.
- No. 1709 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."
- Introduced by: Senator Levin.
- No. 1710 "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA DISCOVERY."
- Introduced by: Senator Levin.
- No. 1711 "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION."
- Introduced by: Senator Levin.
- No. 1712 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
- Introduced by: Senator Levin.
- No. 1713 "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT."
- Introduced by: Senator Levin.
- No. 1714 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING."
- Introduced by: Senators Ige, D., Baker.
- No. 1715 "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS."
- Introduced by: Senators Ige, D., Baker.
- No. 1716 "A BILL FOR AN ACT RELATING TO PUBLIC DEPOSITS."
- Introduced by: Senators Ige, D., Baker.
- No. 1717 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY."
- Introduced by: Senators Ige, D., Baker.
- No. 1718 "A BILL FOR AN ACT RELATING TO EDUCATION."
- Introduced by: Senator Ige, D.
- No. 1719 "A BILL FOR AN ACT RELATING TO TAX."
- Introduced by: Senator Ihara, by request.
- No. 1720 "A BILL FOR AN ACT RELATING TO ELECTIONS."
- Introduced by: Senator Ihara.
- No. 1721 "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME LAW."
- Introduced by: Senator Ihara.
- No. 1722 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Ihara.
- No. 1723 "A BILL FOR AN ACT RELATING TO THE APPROPRIATION OF MONEYS FOR HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND ON HAWAII."
- Introduced by: Senator Fernandes Salling.
- No. 1724 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES."
- Introduced by: Senator Fernandes Salling.
- No. 1725 "A BILL FOR AN ACT RELATING TO SCHOOL BUS SAFETY."
- Introduced by: Senator Fernandes Salling.
- No. 1726 "A BILL FOR AN ACT RELATING TO OUTREACH WORKERS."
- Introduced by: Senators Chun Oakland, Kanno.
- No. 1727 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."
- Introduced by: Senator Chun Oakland.
- No. 1728 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FOURTEENTH SENATORIAL DISTRICT."
- Introduced by: Senator Chun Oakland.
- No. 1729 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPROVE REIMBURSEMENT FOR ADULT DAY CARE CENTER TUITION."
- Introduced by: Senator Chun Oakland.

No. 1730 "A BILL FOR AN ACT RELATING TO PUBLIC FINANCE."

Introduced by: Senator Chun Oakland.

No. 1731 "A BILL FOR AN ACT RELATING TO MINIMUM WAGES."

Introduced by: Senator Kanno.

No. 1732 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Kanno.

No. 1733 "A BILL FOR AN ACT RELATING TO THE EXAMINATION AND DETERMINATION OF PERMANENT IMPAIRMENT UNDER WORKERS' COMPENSATION."

Introduced by: Senator Kanno.

No. 1734 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Kanno, Chun Oakland, Fukunaga, Fernandes Salling, Levin, Ihara, McCartney, Ige, D., Baker, Taniguchi, Chumbley, Matsunaga, Iwase, Tanaka, Kawamoto, Sakamoto, Solomon, Tam, Mizuguchi, Bunda.

No. 1735 "A BILL FOR AN ACT RELATING TO DISPUTE RESOLUTION BY ARBITRATION OR MEDIATION FOR WORKERS' COMPENSATION."

Introduced by: Senator Kanno.

No. 1736 "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS."

Introduced by: Senators Sakamoto, Bunda, Chun Oakland, Fernandes Salling, Ige, D., Ige, M., Kawamoto, McCartney, Solomon, Tanaka.

No. 1737 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAINTAIN AND ENHANCE THE PRESENCE OF THE ARMED FORCES IN HAWAII."

Introduced by: Senators Sakamoto, Kawamoto, Bunda, Chumbley, Chun Oakland, Ige, D., Ige, M., Kanno, McCartney.

No. 1738 "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS."

Introduced by: Senators Sakamoto, Bunda, Ige, D., Ige, M., Kawamoto, McCartney, Solomon.

No. 1739 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Senators Sakamoto, Ige, D., Ige, M., McCartney, Solomon.

No. 1740 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Senators Sakamoto, Bunda, Ige, D., Ige, M., Kawamoto, McCartney, Solomon.

No. 1741 "A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE."

Introduced by: Senator Tam.

No. 1742 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Tam.

No. 1743 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senator Tam.

No. 1744 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Senator Ihara.

No. 1745 "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING AND DEVELOPMENT AGENCY."

Introduced by: Senator Ige, M.

No. 1746 "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS."

Introduced by: Senators Matsunaga, Chumbley.

No. 1747 "A BILL FOR AN ACT RELATING TO HOLIDAYS."

Introduced by: Senators Baker, Kanno, Taniguchi.

No. 1748 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HOME HEMODIALYSIS PROGRAM ON MOLOKAI AND LANAI."

Introduced by: Senators Baker, Chumbley, Tanaka.

No. 1749 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senators Baker, Chumbley.

No. 1750 "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."

Introduced by: Senator Mizuguchi.

No. 1751 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII MEDICAL SCHOOL TO VERIFY SCIENTIFICALLY THE MEDICINAL PROPERTIES, INCLUDING ANTI-CANCER PROPERTIES, OF THE NONI PLANT."

Introduced by: Senator Chumbley.

No. 1752 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 1753 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Taniguchi, Baker.

No. 1754 "A BILL FOR AN ACT RELATING TO REPEAL OF THE SUNSET DATE FOR ENERGY CONSERVATION INCOME TAX CREDITS."

Introduced by: Senator Taniguchi.

No. 1755 "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS."



Introduced by: Senator Taniguchi.

No. 1756 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR DETECTION OF ALIEN PEST SPECIES AT THE STATE'S PORTS OF ENTRY."

Introduced by: Senator Solomon.

No. 1757 "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE EDUCATION."

Introduced by: Senator Solomon.

No. 1758 "A BILL FOR AN ACT RELATING TO PERMITS IN THE CONSERVATION DISTRICT."

Introduced by: Senator Solomon.

No. 1759 "A BILL FOR AN ACT RELATING TO HAWAII PRODUCTS."

Introduced by: Senator Solomon.

No. 1760 "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES."

Introduced by: Senators Taniguchi, Fukunaga, Ihara.

No. 1761 "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE COMPANY TAX."

Introduced by: Senator Fukunaga.

No. 1762 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Fukunaga, by request.

No. 1763 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1764 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES COMMISSION PENALTIES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1765 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senators Kawamoto, Bunda.

No. 1766 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1767 "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1768 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE TRANSPORTATION BETWEEN THE ISLANDS OF MAUI AND MOLOKAI."

Introduced by: Senators Fernandes Salling, Fukunaga.

#### ADJOURNMENT

At 4:30 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Friday, January 24, 1997.

## SEVENTH DAY

Friday, January 24, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Leland F. Ching, Office of Worship, Roman Catholic Church, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

The President announced that he had read and approved the Journal of the Sixth Day.

## HOUSE COMMUNICATION

Hse. Com. No. 4, transmitting H.B. No. 117, which passed Third Reading in the House of Representatives on January 23, 1997, was read by the Clerk and was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 117, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO MARRIAGE," passed First Reading by title and was referred to the Committee on Judiciary.

Senator Solomon rose on a point of information as follows:

"Mr. President, I rise on a point of information. Mr. President, I've noticed that many of the bills that have been circulated for our signature now have lines underneath all of the Senators' names. I want to know if we have a new policy in the Senate because I was under the impression, and it has always been past procedure here, that when you sign a bill, the Senator is just interested in affirming the fact that they would like to have a hearing on that bill; that they would like to know more about the issue.

"And I noticed that was the case with the 'high three' reform bill. The same procedure was followed for the insurance bill. In our effort for collaboration and working together, and with the co-chairmen organizational setup that we have, we need a clear understanding as to how people want to come up with a consensus in terms of our Senate position. What is the procedure, Mr. President?"

The Chair responded:

"It is your choice as to whether you want to sign on the line. I know other bills also have included more than one sponsor. So it is your choice whether you want to sign or not."

Senator Solomon continued:

"But if you do underline your name, Mr. President, are you still indicating then that you are in fact sponsoring that legislation?"

The Chair replied:

"You are sponsoring it, but the end result is that your support for the measure may change depending on the final version of the bill."

Senator Solomon then said:

"Thank you, Mr. President."

## STANDING COMMITTEE REPORT

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1) recommending that the Senate consent to the nomination of

COLETTE YODA GARIBALDI to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1 and Jud. Com. No. 1 was deferred until Tuesday, January 27, 1997.

## ORDER OF THE DAY

## REFERRAL OF SENATE BILL

The President made the following committee assignment of a bill introduced on Wednesday, January 22, 1997:

Senate Bill	Referred to:
No. 1483	Committee on Commerce, Consumer Protection, and Information Technology

Senator Solomon rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I rise to speak in support of the Hawaii Futures rally, which will be held this afternoon from 4:00 to 5:30 p.m., and I'm asking for this body's favorable consideration of H.B. No. 117 passed by that body on nearly an unanimous vote. If anything was clearly communicated by our constituents in the past election, it was their general dissatisfaction with legislative foolishness, specifically with petty squabbling between the House and the Senate and between committee chairmen within each body over minutiae and 'turf' considerations.

"It is highly unfortunate, Mr. President, that our Supreme Court in its majestic ignorance of the plain and virtually universal definition of the word 'marriage,' has forced on us their definition causing confusion and consternation here and making the people of Hawaii to be 'odd balls' to the rest of the nation.

"We have compounded the nonsense by wasting three years in fruitless debate on something which should have been easily disposed of.

"Now we have no choice but to ask the voters of Hawaii to do what should have been done by us.

"Mr. President, it is a basic principal of effective time management that one does immediately what one knows has to be done eventually.

"Any one of us who for whatever reason chooses to vote against our passage of H.B. No. 117 certainly is unable to read the message of the election results.

"I urge my colleagues to get this matter behind us immediately.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I'd like to rise on a point of personal privilege, but on another subject.

"Mr. President, last evening on the media I noticed that the Department of Agriculture is going to pass a rule, and this morning's paper said the same thing. On opening day I spoke

against rules and regulations, primarily because you and I have to run because our constituents vote for us. They do not vote for people who were appointed or for bureaucrats. And to have a rule or regulation passed after this body sat and deliberated year after year on the quarantine subject ... both houses, 76 of us, never came to an agreement on how that should be handled, and yet they're going to hand out a rule that says, not 120 days, but 30 days, is what we're going to do for quarantine.

"I don't think this is fair and equitable. I don't think it had public hearings that are adequate. I personally am opposed to having another rule and reg in place by a group of people. I'm opposed to it and I am certainly going to see if I can do something with a bill that will stop something like this, Mr. President. I do not believe it to be fair and equitable, and I just wanted to state my opinion.

"Thank you very much, Mr. President."

Senator Solomon rose again on a point of personal privilege as follows:

"Mr. President, I again rise on a point of personal privilege.

"Mr. President, I did receive this memorandum from your office and this is referring to my colleague's decision to resign -- Senator Matsuura. Mr. President, I would just like to read it for the Journal. The Senator writes:

'Dear Governor Cayetano,

In continuation of our discussion of last evening, I accept your decision not to appoint David, my son, as my successor to the seat in the Senate. I must accept as one of your criteria the lack of experience of David, although I beg to disagree with your assessment. My prerequisite of experience is based on 16 years of my legislative efforts and that is that the highest level of experience is a person nurtured from birth to adulthood with love, security and a sense of values inspired by a firm belief and faith in God and in the power of prayer. I know for a fact that David possesses these qualities.'

"Mr. President, it has come to my mind that I didn't know the needed criteria to be appointed to a public office, and I'm just wondering, Mr. President, if this is a whole new situation and that perhaps the governor could provide this body with what he thinks defines experience for a person capable of taking Senator Matsuura's position.

"Mr. President, in my mind, as well as others sitting here in this room, your family is the key requirement when you run for any political office. It is no secret amongst us that we know how much family dedication and commitment it takes. And, in fact, the family knows the constituency the best.

"And for the life of me, Mr. President, I can't understand what kind of rationale that the governor has in mind. And I really would appreciate if I get any input from the Big Island as to what the governor may mean by the lack of experience or perhaps we could get a definition from the governor so that I can communicate that to Senator Matsuura's constituency.

"Thank you very much, Mr. President."

#### INTRODUCTION OF SENATE BILLS

On motion by Senator McCartney seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive bills for introduction prior to 8:00 o'clock p.m. In consequence thereof and subsequent to its recessing at 11:54 o'clock a.m., the following bills passed First Reading by Title and were deferred:

Senate Bill

No. 1769 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senator Anderson.

No. 1770 "A BILL FOR AN ACT RELATING TO STATE LEASES."

Introduced by: Senator Anderson.

No. 1771 "A BILL FOR AN ACT RELATING TO A FIVE YEAR GRADUATED GENERAL EXCISE TAX EXEMPTION FOR NEW BUSINESSES."

Introduced by: Senator Anderson.

No. 1772 "A BILL FOR AN ACT RELATING TO JUDICIAL REVIEW OF ADMINISTRATIVE RULES."

Introduced by: Senator Anderson.

No. 1773 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Senator Levin.

No. 1774 "A BILL FOR AN ACT RELATING TO PAPAYA FARMERS."

Introduced by: Senator Levin.

No. 1775 "A BILL FOR AN ACT RELATING TO THE MANAGED CARE CONSUMER PROTECTION ACT."

Introduced by: Senator Levin, by request.

No. 1776 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BOOKMOBILE IN PUNA."

Introduced by: Senator Levin.

No. 1777 "A BILL FOR AN ACT RELATING TO VITAL STATISTICS."

Introduced by: Senator Levin.

No. 1778 "A BILL FOR AN ACT RELATING TO ELECTRICIANS."

Introduced by: Senator Iwase.

No. 1779 "A BILL FOR AN ACT RELATING TO HURRICANE SHELTERS."

Introduced by: Senator Fernandes Salling.

No. 1780 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Fernandes Salling.

No. 1781 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE POIPU BEACH RESORT ASSOCIATION."

Introduced by: Senator Fernandes Salling.

No. 1782 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII SAMOAN FLAG DAY FESTIVAL."

Introduced by: Senator Solomon.

No. 1783 "A BILL FOR AN ACT RELATING TO OPTICIANS."

Introduced by: Senators Solomon, Sakamoto.

No. 1784 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTION OF FARRINGTON HIGHWAY AND LAUMANIA STREET."

Introduced by: Senator Aki.

No. 1785 "A BILL FOR AN ACT RELATING TO LEGISLATIVE FISCAL IMPACT STATEMENTS."

Introduced by: Senator Slom.

No. 1786 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Senators Slom, Anderson.

No. 1787 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS IN THE 16TH SENATORIAL DISTRICT."

Introduced by: Senator Sakamoto.

No. 1788 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A FILM STAGE ON KAUAI."

Introduced by: Senator Fernandes Salling.

No. 1789 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Fernandes Salling.

No. 1790 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Senator Fernandes Salling.

No. 1791 "A BILL FOR AN ACT RELATING TO RECREATIONAL BOATING."

Introduced by: Senator Tam.

No. 1792 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM."

Introduced by: Senator Tanaka.

No. 1793 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII'S SEAFOOD MARKETING INDUSTRY."

Introduced by: Senator Tanaka.

No. 1794 "A BILL FOR AN ACT RELATING TO SANITATION PERMITS."

Introduced by: Senator Matsuura.

No. 1795 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Senator Matsuura.

No. 1796 "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS."

Introduced by: Senator Anderson.

No. 1797 "A BILL FOR AN ACT RELATING TO THE OPERATION OF THRILL CRAFT."

Introduced by: Senator Anderson.

No. 1798 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM PROMOTION FOR KAUAI."

Introduced by: Senator Fernandes Salling.

No. 1799 "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT."

Introduced by: Senator Mizuguchi, by request.

No. 1800 "A BILL FOR AN ACT RELATING TO GOVERNMENTAL REGULATION OF RIGHTS."

Introduced by: Senators Chumbley, Matsunaga.

No. 1801 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Mizuguchi, by request.

No. 1802 "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Mizuguchi, by request.

No. 1803 "A BILL FOR AN ACT RELATING TO A LONG-TERM CARE COMMISSION."

Introduced by: Senator Mizuguchi.

No. 1804 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BACKSTOP AT UNIVERSITY OF HAWAII RAINBOW STADIUM."

Introduced by: Senator Mizuguchi.

No. 1805 "A BILL FOR AN ACT RELATING TO CIVIL SERVICE."

Introduced by: Senator Mizuguchi, by request.

No. 1806 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING."

Introduced by: Senator Mizuguchi.

No. 1807 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATURE."

Introduced by: Senator Mizuguchi.

No. 1808 "A BILL FOR AN ACT RELATING TO FINANCIAL INCENTIVES FOR TEACHERS IN SHORTAGE AREAS."

Introduced by: Senator Aki.

No. 1809 "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII SCHOLARSHIPS."

Introduced by: Senator Aki.

No. 1810 "A BILL FOR AN ACT RELATING TO A MENTOR TEACHER PROGRAM."

Introduced by: Senator Aki.

No. 1811 "A BILL FOR AN ACT RELATING TO TEACHERS IN SHORTAGE AREAS."

- Introduced by: Senator Aki.
- No. 1812 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senators Baker, Ige, D., McCartney, Matsunaga, Chumbley, Chun Oakland, Taniguchi, Ihara, Kanno, Fernandes Salling, Fukunaga, Mizuguchi, Sakamoto, Solomon, Aki, Tam.
- No. 1813 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND DESIGN OF A COMMERCIAL CENTER AND LIGHT INDUSTRIAL USE AREA ON LANAI."
- Introduced by: Senator Baker.
- No. 1814 "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE."
- Introduced by: Senator Baker.
- No. 1815 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Solomon, by request.
- No. 1816 "A BILL FOR AN ACT RELATING TO DENTAL CARE."
- Introduced by: Senator Solomon, by request.
- No. 1817 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."
- Introduced by: Senator Solomon, by request.
- No. 1818 "A BILL FOR AN ACT RELATING TO MEDICAL SAVINGS ACCOUNTS."
- Introduced by: Senator Solomon, by request.
- No. 1819 "A BILL FOR AN ACT RELATING TO CATTLE."
- Introduced by: Senator Solomon.
- No. 1820 "A BILL FOR AN ACT RELATING TO PHYSICIANS."
- Introduced by: Senator Levin.
- No. 1821 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."
- Introduced by: Senator Levin, by request.
- No. 1822 "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA."
- Introduced by: Senator Levin.
- No. 1823 "A BILL FOR AN ACT RELATING TO FISHING."
- Introduced by: Senator Levin, by request.
- No. 1824 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE COUNTY OF HAWAII."
- Introduced by: Senators Levin, Solomon.
- No. 1825 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST DESTINATION HILO IN ITS EFFORTS TO STIMULATE TOURISM ACTIVITY IN EAST HAWAII."
- Introduced by: Senator Anderson.
- No. 1826 "A BILL FOR AN ACT RELATING TO GAMING."
- Introduced by: Senator Anderson.
- No. 1827 "A BILL FOR AN ACT RELATING TO OCEAN RECREATION."
- Introduced by: Senator Slom.
- No. 1828 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senators Slom, Anderson, Sakamoto.
- No. 1829 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."
- Introduced by: Senator Slom.
- No. 1830 "A BILL FOR AN ACT RELATING TO NOISE POLLUTION."
- Introduced by: Senator Slom.
- No. 1831 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Slom.
- No. 1832 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES IN THE NINTH SENATORIAL DISTRICT."
- Introduced by: Senator Matsunaga.
- No. 1833 "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION."
- Introduced by: Senator Matsunaga.
- No. 1834 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE NINTH SENATORIAL DISTRICT."
- Introduced by: Senator Matsunaga.
- No. 1835 "A BILL FOR AN ACT RELATING TO THE RELIEF OF ASSOCIATION OF RETARDED CITIZENS OF MAUI'S CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."
- Introduced by: Senators Chumbley, Baker.
- No. 1836 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."
- Introduced by: Senator Chumbley.
- No. 1837 "A BILL FOR AN ACT RELATING TO THE INCOME TAX."
- Introduced by: Senator Sakamoto.
- No. 1838 "A BILL FOR AN ACT RELATING TO LABOR."

- Introduced by: Senator Sakamoto.
- No. 1839 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."  
Introduced by: Senators Sakamoto, Chun Oakland, Kanno, Levin.
- No. 1840 "A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS."  
Introduced by: Senators Sakamoto, Chumbley, Chun Oakland, Kanno.
- No. 1841 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."  
Introduced by: Senators Sakamoto, Chumbley, Kanno, Kawamoto, Slom.
- No. 1842 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMPARATIVE COST/BENEFIT STUDY OF THE MARITIME REGULATORY REGIME EFFECTS ON HAWAII."  
Introduced by: Senators Sakamoto, Slom.
- No. 1843 "A BILL FOR AN ACT RELATING TO THE HAWAII VISITORS AND CONVENTION BUREAU."  
Introduced by: Senator Tanaka.
- No. 1844 "A BILL FOR AN ACT RELATING TO ARRESTS AND SEARCH WARRANTS."  
Introduced by: Senators Tanaka, Chumbley.
- No. 1845 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."  
Introduced by: Senators Tanaka, Chumbley.
- No. 1846 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."  
Introduced by: Senators Tanaka, Baker, Chumbley.
- No. 1847 "A BILL FOR AN ACT RELATING TO PENAL LIABILITY."  
Introduced by: Senators Tanaka, Baker, Chumbley.
- No. 1848 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MAUI POLICE DEPARTMENT TO UPGRADE THE TELECOMMUNICATIONS SYSTEM."  
Introduced by: Senators Tanaka, Baker, Chumbley.
- No. 1849 "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS."  
Introduced by: Senator Tanaka.
- No. 1850 "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS."  
Introduced by: Senator Tanaka.
- No. 1851 "A BILL FOR AN ACT RELATING TO COMMUNITY REHABILITATION PROGRAMS."  
Introduced by: Senator Bunda.
- No. 1852 "A BILL FOR AN ACT RELATING TO HAWAIIAN ENTERPRISE ZONES."  
Introduced by: Senator Bunda.
- No. 1853 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF SPECIAL NEEDS RENTAL HOUSING."  
Introduced by: Senator Bunda.
- No. 1854 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS FOR AFFORDABLE HOUSING."  
Introduced by: Senator Bunda.
- No. 1855 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE TWENTY-SECOND SENATORIAL DISTRICT."  
Introduced by: Senator Bunda.
- No. 1856 "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE."  
Introduced by: Senator Bunda.
- No. 1857 "A BILL FOR AN ACT RELATING TO HOUSING."  
Introduced by: Senator Bunda.
- No. 1858 "A BILL FOR AN ACT RELATING TO LICENSING."  
Introduced by: Senator Bunda.
- No. 1859 "A BILL FOR AN ACT RELATING TO GOVERNMENT INFORMATION."  
Introduced by: Senator Bunda.
- No. 1860 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."  
Introduced by: Senator Mizuguchi.
- No. 1861 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN APPLIED AGRICULTURE PROGRAM AT KAUAI COMMUNITY COLLEGE, KAUAI."  
Introduced by: Senator Fernandes Salling.
- No. 1862 "A BILL FOR AN ACT RELATING TO ELECTRICITY RATES."  
Introduced by: Senator Fernandes Salling.
- No. 1863 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."  
Introduced by: Senator Fernandes Salling.
- No. 1864 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."  
Introduced by: Senator Solomon.
- No. 1865 "A BILL FOR AN ACT RELATING TO LAND EXCHANGES."  
Introduced by: Senator Solomon.

No. 1866 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS, DESIGNS, AND CONSTRUCTION FOR A SEWER LINE FOR HAWAII PACIFIC UNIVERSITY."

Introduced by: Senator Ige, M.

No. 1867 "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES."

Introduced by: Senator Ige, M.

No. 1868 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Senator Ige, M.

No. 1869 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WINDWARD COMMUNITY COLLEGE, OAHU."

Introduced by: Senator Ige, M.

No. 1870 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Introduced by: Senator Ige, M.

No. 1871 "A BILL FOR AN ACT RELATING TO PRIVATE PROPERTY RIGHTS."

Introduced by: Senator Ige, M.

No. 1872 "A BILL FOR AN ACT RELATING TO THE RESTORATION OF KAWAI NUI MARSH."

Introduced by: Senator Ige, M.

No. 1873 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH SENATORIAL DISTRICT."

Introduced by: Senator Ige, M.

No. 1874 "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE."

Introduced by: Senator Chun Oakland.

No. 1875 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

Introduced by: Senators Chun Oakland, Solomon.

No. 1876 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Chun Oakland.

No. 1877 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Chun Oakland.

No. 1878 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Senator Chun Oakland.

No. 1879 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Senator Chun Oakland.

No. 1880 "A BILL FOR AN ACT RELATING TO A HIGH-INCOMES INCOME TAX SURTAX."

Introduced by: Senator Chun Oakland.

No. 1881 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senator Chun Oakland.

No. 1882 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Senator Chun Oakland.

No. 1883 "A BILL FOR AN ACT RELATING TO HAWAII MANUFACTURED HOUSING STANDARDS."

Introduced by: Senator Chun Oakland.

No. 1884 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Senators Fukunaga, Fernandes Salling.

No. 1885 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Senators Fernandes Salling, Fukunaga.

No. 1886 "A BILL FOR AN ACT RELATING TO FLOOD CONTROL."

Introduced by: Senator Bunda.

No. 1887 "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL WATERSHED MANAGEMENT PROJECT."

Introduced by: Senators Ihara, Fukunaga, Taniguchi.

No. 1888 "A BILL FOR AN ACT RELATING TO CONSTRUCTION VEHICLES."

Introduced by: Senator Ihara, by request.

No. 1889 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senator Ihara.

No. 1890 "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS."

Introduced by: Senators Ihara, Tam.

No. 1891 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."

Introduced by: Senators Ihara, Fukunaga, Taniguchi.

No. 1892 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Senator Ihara, by request.

No. 1893 "A BILL FOR AN ACT RELATING TO MASSAGE."

Introduced by: Senators Fukunaga, Ihara.

No. 1894 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

- Introduced by: Senator Fukunaga, by request.
- No. 1895 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 12TH SENATORIAL DISTRICT."  
Introduced by: Senators Fukunaga, Taniguchi, Tam.
- No. 1896 "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."  
Introduced by: Senators Fukunaga, Ihara, Taniguchi.
- No. 1897 "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS."  
Introduced by: Senator Fukunaga.
- No. 1898 "A BILL FOR AN ACT RELATING TO PESTICIDES."  
Introduced by: Senator Fukunaga.
- No. 1899 "A BILL FOR AN ACT RELATING TO ATTORNEY FEES UNDER THE WORKERS' COMPENSATION LAW."  
Introduced by: Senator Fukunaga.
- No. 1900 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 4TH SENATORIAL DISTRICT."  
Introduced by: Senator Baker.
- No. 1901 "A BILL FOR AN ACT RELATING TO TIME SHARE."  
Introduced by: Senator Baker.
- No. 1902 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."  
Introduced by: Senator Tam.
- No. 1903 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."  
Introduced by: Senator Tam.
- No. 1904 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LONG-TERM REHABILITATION RESIDENCE."  
Introduced by: Senator Tam.
- No. 1905 "A BILL FOR AN ACT RELATING TO LABOR."  
Introduced by: Senator Tam.
- No. 1906 "A BILL FOR AN ACT RELATING TO FOOD STAMPS."  
Introduced by: Senator Tam.
- No. 1907 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."  
Introduced by: Senator Fernandes Salling.
- No. 1908 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS."  
Introduced by: Senator McCartney.
- No. 1909 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAHUKU HOSPITAL."  
Introduced by: Senator McCartney.
- No. 1910 "A BILL FOR AN ACT RELATING TO THE AHUPUA'A 'O KAHANA."  
Introduced by: Senator McCartney.
- No. 1911 "A BILL FOR AN ACT RELATING TO STUDENT CENTERED SCHOOLS."  
Introduced by: Senators McCartney, Tam.
- No. 1912 "A BILL FOR AN ACT RELATING TO TAXABLE INCOME."  
Introduced by: Senator McCartney.
- No. 1913 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WINDWARD COMMUNITY COLLEGE FOR CAPITAL IMPROVEMENTS."  
Introduced by: Senators McCartney, Anderson, Ige, M., Aki.
- No. 1914 "A BILL FOR AN ACT RELATING TO LAND USE."  
Introduced by: Senators McCartney, Ihara.
- No. 1915 "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISIONS."  
Introduced by: Senator McCartney.
- No. 1916 "A BILL FOR AN ACT RELATING TO TOBACCO."  
Introduced by: Senator McCartney.
- No. 1917 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."  
Introduced by: Senators Kawamoto, Sakamoto.
- No. 1918 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."  
Introduced by: Senators Ihara, Fukunaga.
- No. 1919 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."  
Introduced by: Senators Ihara, Ige, D.
- No. 1920 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE 20TH SENATORIAL DISTRICT."  
Introduced by: Senator Kanno.
- No. 1921 "A BILL FOR AN ACT RELATING TO SCHOOL PERSONNEL."  
Introduced by: Senator Kanno.



No. 1922 "A BILL FOR AN ACT RELATING TO MINOR PASSENGERS."

Introduced by: Senator Kanno.

No. 1923 "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE."

Introduced by: Senator Kanno, by request.

No. 1924 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Kanno.

No. 1925 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE RATES."

Introduced by: Senator Kanno.

No. 1926 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE RATES."

Introduced by: Senator Kanno.

No. 1927 "A BILL FOR AN ACT RELATING TO HEALTH FUND MEDICARE PART B."

Introduced by: Senator Kanno.

No. 1928 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Fernandes Salling.

No. 1929 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Sakamoto, Baker, Chun Oakland.

No. 1930 "A BILL FOR AN ACT RELATING TO CAMPBELL HIGH SCHOOL."

Introduced by: Senator Kanno.

No. 1931 "A BILL FOR AN ACT RELATING TO WAIKIKI IMPROVEMENTS."

Introduced by: Senator Mizuguchi.

No. 1932 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 15TH SENATORIAL DISTRICT."

Introduced by: Senator Mizuguchi.

No. 1933 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senator Mizuguchi, by request.

No. 1934 "A BILL FOR AN ACT RELATING TO THE USE OF AIRPORT REVENUES."

Introduced by: Senator Mizuguchi.

No. 1935 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Senator Mizuguchi, by request.

No. 1936 "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS AND ACTIVITY PROVIDERS."

Introduced by: Senators Ige, D., Baker.

No. 1937 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE AND TORT ACTIONS."

Introduced by: Senators Ige, D., Baker.

No. 1938 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH SENATORIAL DISTRICT."

Introduced by: Senator Ige, D.

No. 1939 "A BILL FOR AN ACT RELATING TO CABLE TELEVISION."

Introduced by: Senators Ige, D., Fukunaga, Ihara.

No. 1940 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Kawamoto, Baker, Ige, D.

No. 1941 "A BILL FOR AN ACT RELATING TO THE HAWAII VISITORS AND CONVENTION BUREAU."

Introduced by: Senator Kawamoto, by request.

No. 1942 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY RELATIONS."

Introduced by: Senators Kawamoto, by request, Sakamoto.

No. 1943 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1944 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1945 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Kawamoto, Sakamoto.

No. 1946 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE."

Introduced by: Senators Kawamoto, Mizuguchi.

No. 1947 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE 19TH DISTRICT."

Introduced by: Senator Kawamoto.

No. 1948 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Senator Ige, D., by request.

No. 1949 "A BILL FOR AN ACT RELATING TO UTILITY LINES."

Introduced by: Senator Taniguchi.

No. 1950 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Taniguchi.

No. 1951 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Taniguchi.

No. 1952 "A BILL FOR AN ACT RELATING TO WATER RESOURCE MANAGEMENT."

Introduced by: Senator Taniguchi, by request.

No. 1953 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Taniguchi.

No. 1954 "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES."

Introduced by: Senators Taniguchi, Fukunaga, Ihara.

No. 1955 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Taniguchi, by request.

No. 1956 "A BILL FOR AN ACT RELATING TO JURORS."

Introduced by: Senator Taniguchi, by request.

No. 1957 "A BILL FOR AN ACT RELATING TO PASSING ON THE COST OF THE GENERAL EXCISE TAX."

Introduced by: Senator Taniguchi, by request.

No. 1958 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senator Taniguchi, by request.

#### ADJOURNMENT

At 8:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 28, 1997.

## EIGHTH DAY

**Tuesday, January 28, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Larry Engel, Kapolei Seventh-Day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senator Matsuura who was excused.

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

Senator Tam, on behalf of Senator Chun Oakland and himself, introduced the Chinese Chamber of Commerce 1997 Narcissus Festival Queen, Susan Chien-Tze Hwang, and her court. Accompanying the young ladies were Kenneth Chong and Wesley Fong, president and president-elect of the Chinese Chamber of Commerce.

At this time, the President invited Queen Susan Hwang to address the members of the Senate and appointed Senators Chun Oakland, Tam and Aki to escort her to the podium.

Queen Susan addressed the members of the Senate as follows:

"Good morning.

"On behalf of the Chinese Chamber of Commerce and the 48th Annual Narcissus Queen and Court, it is our pleasure and honor to be here today.

"I want to take this time to thank you. I hope that we will make good ambassadors for the Chinese Chamber of Commerce as well as for the State of Hawaii in spreading the 'Aloha Spirit' with our goodwill tour this summer to China.

"I also hope that you will come down and join us for the festivities that we have in Chinatown.

"Chien Nien Fai Lok! Thank you very much and Happy New Year."

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 105 to 113) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 105, dated January 8, 1997, transmitting the Hawaii Visitors Bureau Funding Report, prepared by the Department of Commerce and Consumer Affairs, Hawaii Public Broadcasting Authority, pursuant to Act 218, SLH 1995, was placed on file.

Gov. Msg. No. 106, dated January 13, 1997, transmitting a report prepared by the Department of Health in response to S.C.R. No. 188 (1996), requesting the Department of Health revisit its requirements for upgrading from cesspools to individual wastewater systems, was placed on file.

Gov. Msg. No. 107, dated January 13, 1997, transmitting a report prepared by the Department of Health pursuant to Act 263, SLH 1996, on Hana Medical Center, was placed on file.

Gov. Msg. No. 108, dated January 13, 1997, transmitting a report, "The Comprehensive School Health Program Model, Healthy Children/Healthy Communities," prepared by the Department of Health, Family Health Services Division, School Health Services Branch, pursuant to Act 287, Section 66.1, SLH 1996, was placed on file.

Gov. Msg. No. 109, dated January 14, 1997, transmitting the 1995 Annual Report prepared by the Office of Youth Services pursuant to Section 352D-6, HRS, was placed on file.

Gov. Msg. No. 110, dated January 15, 1997, transmitting a report, "Restructuring State Government Services, Findings and Recommendations," prepared by the Office of the Governor pursuant to Act 297, SLH 1996, was placed on file.

Gov. Msg. No. 111, dated January 15, 1997, transmitting the State of Hawaii Program Structure, prepared by the Department of Budget and Finance, Budget, Program Planning and Management Division, was placed on file.

Gov. Msg. No. 112, submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of ELWIN P. AHU to the office of Judge, 1st Division, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 113, submitting for consideration and confirmation for Director of Public Safety, the nomination of KEITH M. KANESHIRO, term to expire December 7, 1998, was referred to the Committee on Judiciary.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 13, from the State Auditor dated January 23, 1997, transmitting a report, "Follow-Up Review of the Incentive and Innovation Grant Review Panel of the Department of Education" (Report No. 97-4), was read by the Clerk and was placed on file.

#### HOUSE COMMUNICATION

Hse. Com. No. 5, transmitting H.B. No. 118, H.D. 1, which passed Third Reading in the House of Representatives on January 24, 1997, was read by the Clerk and was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 118, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES," passed First Reading by title and was referred to the Committee on Judiciary.

#### SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 5 and 6) were read by the Clerk and were deferred:

##### Senate Concurrent Resolution

No. 5 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ACUTE CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE CONTRACT."

Offered by: Senator Mizuguchi, by request.

No. 6 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF PRIVATIZING CERTAIN PUBLIC INFRASTRUCTURE FACILITIES."

Offered by: Senator Mizuguchi.

**SENATE RESOLUTION**

The following resolution (S.R. No. 3) was read by the Clerk and was deferred:

Senate Resolution

No. 3 "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ACUTE CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE CONTRACT."

Offered by: Senator Mizuguchi, by request.

**ORDER OF THE DAY**

**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1 (Jud. Com. No. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1 and Jud. Com. No. 1 was deferred until Friday, January 31, 1997.

**REFERRAL OF SENATE BILLS**

The President made the following committee assignments of bills introduced on Wednesday, January 22, 1997; Thursday, January 23, 1997; and Friday, January 24, 1997:

Senate Bill Referred to:

No. 1208 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1209 Committee on Economic Development, then to the Committee on Ways and Means

No. 1210 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1211 Committee on Education, then to the Committee on Ways and Means

No. 1212 Committee on Education, then to the Committee on Ways and Means

No. 1213 Committee on Education, then to the Committee on Ways and Means

No. 1214 Committee on Education, then to the Committee on Ways and Means

No. 1215 Committee on Education, then to the Committee on Ways and Means

No. 1216 Committee on Economic Development, then to the Committee on Ways and Means

No. 1217 Committee on Judiciary, then to the Committee on Ways and Means

No. 1218 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1219 Committee on Economic Development, then to the Committee on Ways and Means

No. 1220 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1221 Committee on Economic Development, then to the Committee on Ways and Means

No. 1222 Committee on Commerce, Consumer Protection, and Information Technology

No. 1223 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 1224 Committee on Judiciary

No. 1225 Committee on Ways and Means

No. 1226 Committee on Ways and Means

No. 1227 Committee on Ways and Means

No. 1228 Committee on Judiciary, then to the Committee on Ways and Means

No. 1229 Committee on Education, then to the Committee on Ways and Means

No. 1230 Committee on Ways and Means

No. 1231 Committee on Ways and Means

No. 1232 Committee on Ways and Means

No. 1233 Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 1234 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 1235 Committee on Ways and Means

No. 1236 Committee on Education, then to the Committee on Ways and Means

No. 1237 Committee on Transportation and Intergovernmental Affairs

No. 1238 Committee on Judiciary, then to the Committee on Ways and Means

No. 1239 Committee on Human Resources, then to the Committee on Judiciary

No. 1240 Committee on Judiciary

No. 1241 Committee on Human Resources, then to the Committee on Ways and Means

No. 1242 Committee on Human Resources

No. 1243 Committee on Human Resources, then to the Committee on Ways and Means

No. 1244 Committee on Health and Environment, then to the Committee on Judiciary

No. 1245 Committee on Commerce, Consumer Protection, and Information Technology

No. 1246 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1247 Committee on Commerce, Consumer Protection, and Information Technology

No. 1248 Committee on Health and Environment, then to the Committee on Ways and Means

No. 1249	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	Committee on Judiciary, then to the Committee on Ways and Means	
No. 1250	Committee on Economic Development, then to the Committee on Ways and Means	No. 1275	Committee on Judiciary
No. 1251	Committee on Economic Development, then to the Committee on Ways and Means	No. 1276	Committee on Judiciary
No. 1252	Committee on Economic Development, then to the Committee on Ways and Means	No. 1277	Committee on Judiciary
No. 1253	Committee on Economic Development	No. 1278	Committee on Judiciary
No. 1254	Committee on Economic Development, then to the Committee on Ways and Means	No. 1279	Committee on Judiciary
No. 1255	Committee on Economic Development, then to the Committee on Ways and Means	No. 1280	Committee on Judiciary
No. 1256	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development	No. 1281	Committee on Judiciary
No. 1257	Committee on Economic Development	No. 1282	Committee on Judiciary, then to the Committee on Ways and Means
No. 1258	Committee on Economic Development, then to the Committee on Health and Environment	No. 1283	Committee on Human Resources, then to the Committee on Judiciary
No. 1259	Committee on Economic Development, then to the Committee on Ways and Means	No. 1284	Committee on Judiciary
No. 1260	Committee on Judiciary, then to the Committee on Ways and Means	No. 1285	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1261	Committee on Judiciary	No. 1286	Committee on Judiciary
No. 1262	Committee on Commerce, Consumer Protection, and Information Technology	No. 1287	Committee on Judiciary, then to the Committee on Ways and Means
No. 1263	Committee on Judiciary	No. 1288	Committee on Judiciary, then to the Committee on Ways and Means
No. 1264	Committee on Judiciary, then to the Committee on Ways and Means	No. 1289	Committee on Judiciary
No. 1265	Committee on Judiciary, then to the Committee on Ways and Means	No. 1290	Committee on Judiciary, then to the Committee on Ways and Means
No. 1266	Committee on Judiciary, then to the Committee on Ways and Means	No. 1291	Committee on Human Resources, then to the Committee on Judiciary
No. 1267	Committee on Judiciary	No. 1292	Committee on Human Resources, then to the Committee on Ways and Means
No. 1268	Committee on Judiciary, then to the Committee on Ways and Means	No. 1293	Committee on Human Resources, then to the Committee on Ways and Means
No. 1269	Committee on Judiciary, then to the Committee on Ways and Means	No. 1294	Committee on Human Resources, then to the Committee on Ways and Means
No. 1270	Committee on Judiciary, then to the Committee on Ways and Means	No. 1295	Committee on Human Resources, then to the Committee on Ways and Means
No. 1271	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1296	Committee on Human Resources, then to the Committee on Ways and Means
No. 1272	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1297	Committee on Human Resources, then to the Committee on Ways and Means
No. 1273	Committee on Judiciary, then to the Committee on Ways and Means	No. 1298	Committee on Human Resources
No. 1274	Jointly to the Committee on Transportation and Intergovernmental Affairs and the	No. 1299	Committee on Human Resources
		No. 1300	Committee on Human Resources
		No. 1301	Committee on Human Resources, then to the Committee on Ways and Means
		No. 1302	Jointly to the Committee on Human Resources and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1303	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1331	Committee on Education, then to the Committee on Ways and Means
No. 1304	Committee on Transportation and Intergovernmental Affairs	No. 1332	Committee on Education, then to the Committee on Ways and Means
No. 1305	Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1333	Committee on Education, then to the Committee on Ways and Means
No. 1306	Committee on Human Resources, then to the Committee on Judiciary	No. 1334	Committee on Education, then to the Committee on Ways and Means
No. 1307	Committee on Human Resources	No. 1335	Committee on Education, then to the Committee on Ways and Means
No. 1308	Committee on Judiciary, then to the Committee on Ways and Means	No. 1336	Committee on Education, then to the Committee on Ways and Means
No. 1309	Committee on Judiciary, then to the Committee on Ways and Means	No. 1337	Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 1310	Committee on Judiciary	No. 1338	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
No. 1311	Committee on Judiciary, then to the Committee on Ways and Means	No. 1339	Committee on Education, then to the Committee on Ways and Means
No. 1312	Committee on Judiciary	No. 1340	Committee on Education, then to the Committee on Ways and Means
No. 1313	Committee on Judiciary	No. 1341	Committee on Education, then to the Committee on Ways and Means
No. 1314	Committee on Judiciary, then to the Committee on Ways and Means	No. 1342	Committee on Education, then to the Committee on Ways and Means
No. 1315	Committee on Judiciary, then to the Committee on Ways and Means	No. 1343	Committee on Education, then to the Committee on Ways and Means
No. 1316	Committee on Ways and Means	No. 1344	Committee on Human Resources, then to the Committee on Ways and Means
No. 1317	Committee on Ways and Means	No. 1345	Committee on Commerce, Consumer Protection, and Information Technology
No. 1318	Committee on Ways and Means	No. 1346	Committee on Education, then to the Committee on Ways and Means
No. 1319	Committee on Ways and Means	No. 1347	Committee on Education, then to the Committee on Ways and Means
No. 1320	Committee on Ways and Means	No. 1348	Committee on Human Resources, then to the Committee on Ways and Means
No. 1321	Committee on Ways and Means	No. 1349	Committee on Commerce, Consumer Protection, and Information Technology
No. 1322	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means	No. 1350	Committee on Human Resources, then to the Committee on Ways and Means
No. 1323	Committee on Ways and Means	No. 1351	Committee on Human Resources, then to the Committee on Ways and Means
No. 1324	Committee on Ways and Means	No. 1352	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1325	Committee on Ways and Means	No. 1353	Committee on Judiciary, then to the Committee on Ways and Means
No. 1326	Committee on Judiciary, then to the Committee on Ways and Means	No. 1354	Committee on Judiciary, then to the Committee on Ways and Means
No. 1327	Committee on Human Resources, then to the Committee on Ways and Means	No. 1355	Committee on Judiciary
No. 1328	Committee on Human Resources, then to the Committee on Ways and Means		
No. 1329	Committee on Education, then to the Committee on Ways and Means		
No. 1330	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means		

No. 1356	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs	No. 1379	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1357	Committee on Judiciary	No. 1380	Committee on Judiciary
No. 1358	Committee on Education, then to the Committee on Ways and Means	No. 1381	Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1359	Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means	No. 1382	Jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means
No. 1360	Committee on Education, then to the Committee on Ways and Means	No. 1383	Committee on Ways and Means
No. 1361	Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1384	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 1362	Committee on Commerce, Consumer Protection, and Information Technology	No. 1385	Committee on Transportation and Intergovernmental Affairs
No. 1363	Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology	No. 1386	Committee on Judiciary
No. 1364	Committee on Economic Development, then to the Committee on Ways and Means	No. 1387	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 1365	Committee on Economic Development, then to the Committee on Ways and Means	No. 1388	Committee on Human Resources, then to the Committee on Ways and Means
No. 1366	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1389	Committee on Judiciary
No. 1367	Committee on Human Resources, then to the Committee on Ways and Means	No. 1390	Committee on Judiciary
No. 1368	Committee on Judiciary, then to the Committee on Ways and Means	No. 1391	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 1369	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1392	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1370	Committee on Education, then to the Committee on Ways and Means	No. 1393	Committee on Ways and Means
No. 1371	Committee on Transportation and Intergovernmental Affairs	No. 1394	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 1372	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1395	Committee on Economic Development, then to the Committee on Ways and Means
No. 1373	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1396	Committee on Human Resources, then to the Committee on Ways and Means
No. 1374	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means	No. 1397	Committee on Human Resources, then to the Committee on Ways and Means
No. 1375	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1398	Committee on Human Resources, then to the Committee on Ways and Means
No. 1376	Committee on Ways and Means	No. 1399	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
No. 1377	Committee on Ways and Means	No. 1400	Committee on Human Resources
No. 1378	Committee on Economic Development, then to the Committee on Ways and Means	No. 1401	Committee on Human Resources
		No. 1402	Committee on Human Resources
		No. 1403	Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
		No. 1404	Committee on Human Resources, then to the Committee on Ways and Means

- No. 1405 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources
- No. 1406 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1407 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1408 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1409 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1410 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1411 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1412 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1413 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1414 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1415 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1416 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1417 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1418 Committee on Education, then to the Committee on Ways and Means
- No. 1419 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1420 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1421 Committee on Ways and Means
- No. 1422 Committee on Ways and Means
- No. 1423 Committee on Economic Development
- No. 1424 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1425 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1426 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1427 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1428 Committee on Economic Development
- No. 1429 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1430 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1431 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1432 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1433 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1434 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1435 Committee on Ways and Means
- No. 1436 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1437 Committee on Human Resources, then to the Committee on Ways and Means
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- No. 1459 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1460 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1461 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1462 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1463 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1464 Committee on Government Operations and Housing
- No. 1465 Committee on Human Resources
- No. 1466 Committee on Ways and Means
- No. 1467 Committee on Ways and Means
- No. 1468 Committee on Ways and Means, then to the Committee on Judiciary
- No. 1469 Committee on Ways and Means
- No. 1470 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1471 Committee on Ways and Means
- No. 1472 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1473 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1474 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1475 Committee on Ways and Means
- No. 1476 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1477 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1478 Committee on Human Resources, then to the Committee on Ways and Means
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- No. 1480 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1481 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1482 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1484 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1485 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1486 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1487 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1488 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1489 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1490 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1491 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1492 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1493 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1494 Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1495 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1496 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1497 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1498 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1499 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1500 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1501 Committee on Commerce, Consumer Protection, and Information Technology

- No. 1502 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1503 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1504 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1505 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1506 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1507 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1508 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1509 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1510 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1511 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1512 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1513 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1514 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1515 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1516 Committee on Commerce, Consumer Protection, and Information Technology
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- No. 1527 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1528 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1529 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1530 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1531 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1532 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1533 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1534 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1535 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1536 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1537 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1538 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1539 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1540 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1541 Jointly to the Committee on Human Resources and the Committee on Education, then to the Committee on Ways and Means
- No. 1542 Committee on Education, then to the Committee on Ways and Means
- No. 1543 Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 1544 Committee on Transportation and Intergovernmental Affairs
- No. 1545 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1546 Committee on Human Resources, then to the Committee on Judiciary
- No. 1547 Committee on Human Resources, then to the Committee on Ways and Means

- No. 1548 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1549 Committee on Human Resources, then to the Committee on Judiciary
- No. 1550 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1551 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1552 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1553 Committee on Human Resources, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1554 Committee on Human Resources
- No. 1555 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1556 Committee on Human Resources
- No. 1557 Committee on Human Resources
- No. 1558 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1559 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1560 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1561 Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1562 Committee on Health and Environment
- No. 1563 Committee on Judiciary
- No. 1564 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1565 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1566 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1567 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1568 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1569 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1570 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1571 Committee on Health and Environment
- No. 1572 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1573 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1574 Committee on Education, then to the Committee on Health and Environment
- No. 1575 Committee on Health and Environment
- No. 1576 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Health and Environment
- No. 1577 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1578 Committee on Transportation and Intergovernmental Affairs
- No. 1579 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1580 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1581 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1582 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1583 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1584 Committee on Health and Environment
- No. 1585 Committee on Health and Environment
- No. 1586 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1587 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1588 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1589 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1590 Committee on Health and Environment
- No. 1591 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1592 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1593 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1594 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1595 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1596 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1597 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1598 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1599 Committee on Economic Development

- No. 1600 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1601 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1602 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1603 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1604 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1605 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1606 Committee on Economic Development, then to the Committee on Judiciary
- No. 1607 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1608 Committee on Water, Land, and Hawaiian Affairs
- No. 1609 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1610 Committee on Education, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1611 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1612 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1613 Committee on Water, Land, and Hawaiian Affairs
- No. 1614 Jointly to the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1615 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1616 Committee on Transportation and Intergovernmental Affairs
- No. 1617 Committee on Transportation and Intergovernmental Affairs
- No. 1618 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1619 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1620 Committee on Transportation and Intergovernmental Affairs
- No. 1621 Committee on Transportation and Intergovernmental Affairs
- No. 1622 Committee on Transportation and Intergovernmental Affairs
- No. 1623 Committee on Education, then to the Committee on Ways and Means
- No. 1624 Committee on Education
- No. 1625 Committee on Education
- No. 1626 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1627 Committee on Water, Land, and Hawaiian Affairs
- No. 1628 Committee on Education, then to the Committee on Ways and Means
- No. 1629 Committee on Education, then to the Committee on Ways and Means
- No. 1630 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1631 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1632 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1633 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1634 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1635 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1636 Committee on Education, then to the Committee on Ways and Means
- No. 1637 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Health and Environment
- No. 1638 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1639 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1640 Committee on Water, Land, and Hawaiian Affairs
- No. 1641 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1642 Committee on Water, Land, and Hawaiian Affairs
- No. 1643 Committee on Water, Land, and Hawaiian Affairs
- No. 1644 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1645 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1646 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

- No. 1647 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1648 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1649 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1650 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1651 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1652 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1653 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1654 Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1655 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1656 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1657 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1658 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1659 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1660 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1661 Committee on Government Operations and Housing
- No. 1662 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1663 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1664 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1665 Committee on Water, Land, and Hawaiian Affairs
- No. 1666 Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs
- No. 1667 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1668 Committee on Transportation and Intergovernmental Affairs
- No. 1669 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1670 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1671 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1672 Committee on Judiciary
- No. 1673 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1674 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1675 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1676 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1677 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1678 Committee on Education, then to the Committee on Ways and Means
- No. 1679 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1680 Committee on Education, then to the Committee on Ways and Means
- No. 1681 Committee on Education, then to the Committee on Ways and Means
- No. 1682 Committee on Education, then to the Committee on Ways and Means
- No. 1683 Committee on Education, then to the Committee on Ways and Means
- No. 1684 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1685 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1686 Committee on Education, then to the Committee on Ways and Means
- No. 1687 Committee on Education, then to the Committee on Ways and Means
- No. 1688 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1689 Committee on Human Resources, then to the Committee on Ways and Means

No. 1690	Committee on Judiciary, then to the Committee on Ways and Means	No. 1716	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1691	Committee on Education, then to the Committee on Ways and Means	No. 1717	Committee on Commerce, Consumer Protection, and Information Technology
No. 1692	Committee on Commerce, Consumer Protection, and Information Technology	No. 1718	Committee on Education, then to the Committee on Ways and Means
No. 1693	Committee on Ways and Means	No. 1719	Committee on Ways and Means
No. 1694	Committee on Education, then to the Committee on Ways and Means	No. 1720	Committee on Judiciary
No. 1695	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 1721	Committee on Government Operations and Housing, then to the Committee on Judiciary
No. 1696	Committee on Education, then to the Committee on Ways and Means	No. 1722	Committee on Education, then to the Committee on Ways and Means
No. 1697	Committee on Economic Development, then to the Committee on Ways and Means	No. 1723	Jointly to the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1698	Committee on Water, Land, and Hawaiian Affairs	No. 1724	Jointly to the Committee on Economic Development and the Committee on Human Resources, then to the Committee on Ways and Means
No. 1699	Committee on Ways and Means	No. 1725	Committee on Education, then to the Committee on Ways and Means
No. 1700	Committee on Ways and Means	No. 1726	Committee on Human Resources, then to the Committee on Ways and Means
No. 1701	Committee on Government Operations and Housing, then to the Committee on Ways and Means	No. 1727	Committee on Human Resources, then to the Committee on Ways and Means
No. 1702	Committee on Water, Land, and Hawaiian Affairs	No. 1728	Committee on Ways and Means
No. 1703	Committee on Commerce, Consumer Protection, and Information Technology	No. 1729	Committee on Human Resources, then to the Committee on Ways and Means
No. 1704	Committee on Economic Development, then to the Committee on Ways and Means	No. 1730	Committee on Ways and Means
No. 1705	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means	No. 1731	Committee on Human Resources, then to the Committee on Ways and Means
No. 1706	Committee on Judiciary, then to the Committee on Ways and Means	No. 1732	Committee on Human Resources, then to the Committee on Ways and Means
No. 1707	Committee on Judiciary, then to the Committee on Ways and Means	No. 1733	Committee on Human Resources, then to the Committee on Ways and Means
No. 1708	Committee on Judiciary, then to the Committee on Ways and Means	No. 1734	Committee on Human Resources, then to the Committee on Ways and Means
No. 1709	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1735	Committee on Human Resources, then to the Committee on Ways and Means
No. 1710	Committee on Health and Environment, then to the Committee on Judiciary	No. 1736	Committee on Commerce, Consumer Protection, and Information Technology
No. 1711	Committee on Health and Environment	No. 1737	Committee on Economic Development, then to the Committee on Ways and Means
No. 1712	Committee on Judiciary	No. 1738	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 1713	Committee on Judiciary	No. 1739	Committee on Judiciary, then to the Committee on Ways and Means
No. 1714	Committee on Commerce, Consumer Protection, and Information Technology	No. 1740	Committee on Transportation and Intergovernmental Affairs
No. 1715	Committee on Commerce, Consumer Protection, and Information Technology		

- No. 1741 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1742 Committee on Education, then to the Committee on Ways and Means
- No. 1743 Committee on Education, then to the Committee on Ways and Means
- No. 1744 Committee on Judiciary
- No. 1745 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1746 Committee on Judiciary
- No. 1747 Committee on Human Resources, then to the Committee on Judiciary
- No. 1748 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1749 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1750 Committee on Judiciary
- No. 1751 Committee on Education, then to the Committee on Ways and Means
- No. 1752 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1753 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1754 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1755 Committee on Human Resources, then to the Committee on Judiciary
- No. 1756 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1757 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
- No. 1758 Committee on Water, Land, and Hawaiian Affairs
- No. 1759 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1760 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1761 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1762 Committee on Ways and Means
- No. 1763 Committee on Transportation and Intergovernmental Affairs
- No. 1764 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1765 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1766 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1767 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1768 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1769 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1770 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1771 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1772 Committee on Judiciary
- No. 1773 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1774 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1775 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1776 Committee on Education, then to the Committee on Ways and Means
- No. 1777 Committee on Health and Environment
- No. 1778 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1779 Committee on Education, then to the Committee on Ways and Means
- No. 1780 Committee on Education, then to the Committee on Ways and Means
- No. 1781 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1782 Committee on Education, then to the Committee on Ways and Means
- No. 1783 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1784 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1785 Committee on Ways and Means
- No. 1786 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1787 Committee on Ways and Means
- No. 1788 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1789 Committee on Judiciary, then to the Committee on Ways and Means

No. 1790	Committee on Economic Development, then to the Committee on Judiciary	No. 1817	Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1791	Committee on Economic Development	No. 1818	Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1792	Committee on Economic Development, then to the Committee on Ways and Means	No. 1819	Committee on Economic Development, then to the Committee on Ways and Means
No. 1793	Committee on Economic Development, then to the Committee on Ways and Means	No. 1820	Committee on Commerce, Consumer Protection, and Information Technology
No. 1794	Committee on Health and Environment	No. 1821	Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 1795	Committee on Human Resources, then to the Committee on Ways and Means	No. 1822	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1796	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. 1823	Committee on Economic Development, then to the Committee on Ways and Means
No. 1797	Committee on Economic Development	No. 1824	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 1798	Committee on Economic Development, then to the Committee on Ways and Means	No. 1825	Committee on Economic Development, then to the Committee on Ways and Means
No. 1799	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1826	Committee on Judiciary, then to the Committee on Ways and Means
No. 1800	Committee on Judiciary	No. 1827	Committee on Economic Development
No. 1801	Committee on Human Resources, then to the Committee on Ways and Means	No. 1828	Committee on Human Resources, then to the Committee on Ways and Means
No. 1802	Committee on Human Resources, then to the Committee on Ways and Means	No. 1829	Committee on Ways and Means
No. 1803	Committee on Human Resources, then to the Committee on Ways and Means	No. 1830	Committee on Health and Environment
No. 1804	Committee on Education, then to the Committee on Ways and Means	No. 1831	Committee on Commerce, Consumer Protection, and Information Technology
No. 1805	Committee on Human Resources	No. 1832	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1806	Committee on Economic Development, then to the Committee on Ways and Means	No. 1833	Committee on Judiciary
No. 1807	Committee on Ways and Means	No. 1834	Committee on Ways and Means
No. 1808	Committee on Education, then to the Committee on Ways and Means	No. 1835	Committee on Health and Environment, then to the Committee on Ways and Means
No. 1809	Committee on Education, then to the Committee on Ways and Means	No. 1836	Jointly to the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 1810	Committee on Education, then to the Committee on Ways and Means	No. 1837	Committee on Ways and Means
No. 1811	Committee on Education, then to the Committee on Ways and Means	No. 1838	Committee on Human Resources, then to the Committee on Ways and Means
No. 1812	Committee on Commerce, Consumer Protection, and Information Technology	No. 1839	Committee on Human Resources, then to the Committee on Ways and Means
No. 1813	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means	No. 1840	Committee on Human Resources
No. 1814	Committee on Commerce, Consumer Protection, and Information Technology	No. 1841	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
No. 1815	Committee on Ways and Means		
No. 1816	Committee on Commerce, Consumer Protection, and Information Technology		



- No. 1842 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1843 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1844 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1845 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1846 Committee on Judiciary
- No. 1847 Committee on Judiciary
- No. 1848 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1849 Committee on Economic Development
- No. 1850 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1851 Committee on Human Resources, then to the Committee on Government Operations and Housing
- No. 1852 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1853 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1854 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1855 Committee on Ways and Means
- No. 1856 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education, then to the Committee on Ways and Means
- No. 1857 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1858 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1859 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1860 Committee on Judiciary
- No. 1861 Committee on Education, then to the Committee on Ways and Means
- No. 1862 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 1863 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1864 Jointly to the Committee on Human Resources and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1865 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1866 Committee on Education, then to the Committee on Ways and Means
- No. 1867 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1868 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1869 Committee on Education, then to the Committee on Ways and Means
- No. 1870 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. 1871 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1872 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1873 Committee on Ways and Means
- No. 1874 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1875 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1876 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1877 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1878 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1879 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1880 Committee on Ways and Means
- No. 1881 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1882 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1883 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1884 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1885 Committee on Government Operations and Housing
- No. 1886 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1887 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1888 Committee on Transportation and Intergovernmental Affairs

- No. 1889 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1890 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1891 Committee on Economic Development
- No. 1892 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1893 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1894 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1895 Committee on Ways and Means
- No. 1896 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1897 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1898 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1899 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1900 Committee on Ways and Means
- No. 1901 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1902 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1903 Committee on Health and Environment, then to the Committee on Judiciary
- No. 1904 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1905 Committee on Human Resources
- No. 1906 Committee on Human Resources
- No. 1907 Committee on Education, then to the Committee on Ways and Means
- No. 1908 Committee on Ways and Means
- No. 1909 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 1910 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 1911 Committee on Education, then to the Committee on Ways and Means
- No. 1912 Committee on Ways and Means
- No. 1913 Committee on Education, then to the Committee on Ways and Means
- No. 1914 Committee on Water, Land, and Hawaiian Affairs
- No. 1915 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 1916 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1917 Committee on Government Operations and Housing, then to the Committee on Ways and Means
- No. 1918 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 1919 Committee on Ways and Means
- No. 1920 Committee on Ways and Means
- No. 1921 Committee on Education, then to the Committee on Ways and Means
- No. 1922 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 1923 Committee on Judiciary
- No. 1924 Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 1925 Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 1926 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1927 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1928 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1929 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1930 Committee on Education, then to the Committee on Ways and Means
- No. 1931 Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1932 Committee on Ways and Means
- No. 1933 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1934 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 1935 Committee on Government Operations and Housing, then to the Committee on Human Resources
- No. 1936 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 1937 Committee on Commerce, Consumer Protection, and Information Technology
- No. 1938 Committee on Ways and Means

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| No. 1939 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 262  | Committee on Health and Environment, then to the Committee on Ways and Means   |
| No. 1940 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 313  | Committee on Human Resources, then to the Committee on Judiciary   |
| No. 1941 | Committee on Economic Development, then to the Committee on Ways and Means  | No. 410  | Committee on Water, Land, and Hawaiian Affairs   |
| No. 1942 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means  | No. 452  | Committee on Health and Environment, then to the Committee on Judiciary  |
| No. 1943 | Committee on Transportation and Intergovernmental Affairs   | No. 482  | Committee on Health and Environment, then to the Committee on Judiciary  |
| No. 1944 | Committee on Transportation and Intergovernmental Affairs   | No. 485  | Committee on Health and Environment, then to the Committee on Judiciary  |
| No. 1945 | Committee on Transportation and Intergovernmental Affairs   | No. 490  | Committee on Health and Environment  |
| No. 1946 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 759  | Committee on Judiciary   |
| No. 1947 | Committee on Ways and Means   | No. 829  | Committee on Health and Environment, then to the Committee on Judiciary  |
| No. 1948 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 835  | Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology  |
| No. 1949 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 846  | Committee on Health and Environment, then to the Committee on Judiciary  |
| No. 1950 | Committee on Ways and Means   | No. 901  | Committee on Judiciary, then to the Committee on Ways and Means  |
| No. 1951 | Committee on Economic Development, then to the Committee on Ways and Means  | No. 984  | Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology  |
| No. 1952 | 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. 1155 | Committee on Judiciary, then to the Committee on Ways and Means  |
| No. 1953 | Committee on Education, then to the Committee on Ways and Means   | No. 1160 | Committee on Transportation and Intergovernmental Affairs  |
| No. 1954 | Committee on Commerce, Consumer Protection, and Information Technology  | No. 1161 | Committee on Economic Development, then to the Committee on Ways and Means   |
| No. 1955 | Committee on Human Resources, then to the Committee on Ways and Means   | No. 1199 | Jointly to the Committee on Economic Development and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means |
| No. 1956 | Committee on Judiciary, then to the Committee on Ways and Means   |          |  |
| No. 1957 | Committee on Ways and Means   |          |  |
| No. 1958 | Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary  |          |  |

Senator Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver of the 72-hour Notice of a Public Hearing on the following bills: S.B. No. 187, S.B. No. 327, S.B. No. 822, S.B. No. 857 and S.B. No. 1076; and the Chair granted the waiver.

At this time, the Chair announced that his memorandum dated January 24, 1997, referring to the resignation of Senator Matsuura and the replacement of his co-chairship and committee membership would be placed in the Journal as follows:

"January 24, 1997

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

- |             |   |
|-------------|---|
| Senate Bill | Referred to:  |
| No. 98      | Committee on Judiciary  |
| No. 156     | Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology |

MEMORANDUM

TO: All Senators  
 FROM: Norman Mizuguchi  
 Senate President

RE: Resignation of Senator Matsuura and  
Replacement of Co-Chairship and Committee  
Membership

With a high degree of respect for Senator Richard Matsuura's desire that the Senate continue its faithful service to his constituency and to the State, and with his concurrence, I have regretfully replaced Senator Matsuura as a co-chair of the Health Committee, and as committee member of the Education and Judiciary Committees.

In his place, I have appointed Senator Mike McCartney as temporary Co-Chair of the Health Committee and member of the Education Committee, and Senator Les Ihara, Jr., as member of the Judiciary Committee, to serve immediately."

#### ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 29, 1997.

## NINTH DAY

Wednesday, January 29, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Brother Lamont Lindsey, The Church of Jesus Christ of Latter-Day Saints, after which the Roll was called showing all Senators present with the exception of Senators D. Ige and Matsuura who were excused.

The President announced that he had read and approved the Journal of the Eighth Day.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

## ORDER OF THE DAY

REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, January 21 and Tuesday, January 28, 1997:

Senate Concurrent Resolution	Referred to:
No. 2	Committee on Judiciary, then to the Committee on Ways and Means
No. 3	Committee on Human Resources, then to the Committee on Ways and Means
No. 4	Committee on Government Operations and Housing, then to the Committee on Human Resources
No. 5	Committee on Health and Environment, then to the Committee on Ways and Means
No. 6	Jointly to the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

## REFERRAL OF SENATE RESOLUTION

The President made the following committee assignment of a resolution that was offered on Tuesday, January 28, 1997:

Senate Resolution	Referred to:
No. 3	Committee on Health and Environment, then to the Committee on Ways and Means

Senator Baker rose on a point of personal privilege as follows:

"Mr. President, may I rise on a point of personal privilege?"

"Thank you, Mr. President. Within the past 24 hours we've learned of yet another senseless and tragic loss of life due to domestic violence because the system that was designed to protect women has failed, and failed miserably.

"Ms. Arlene Marzan obtained a TRO. She did what she was supposed to do to get help from the system. Actually, her abuser was convicted. She filed another TRO; there was

another conviction. She took respite in a shelter. She did all of the things that we advise victims of domestic violence to do. But nevertheless, she was gunned down by her abuser who happened to be her estranged spouse.

"Just yesterday, we also learned from a report filed by the attorney general that sex assault is increasing in our community.

"Mr. President and colleagues, domestic violence and other acts of violence to resolve disputes really have no place in our state, in any of our communities.

"I call upon our Judiciary chairs to expedite the hearings on measures that are before their committee which seek to improve the legal and systemic safeguards for women in this state.

"I would also ask the members of our Ways and Means Committee headed by our very able co-chairs not to let the departments or the Judiciary forget that they have an obligation to support the women's shelters throughout our state and to support the prevention and treatment programs that are so necessary to assist victims of domestic violence.

"Finally, I encourage all of us to do whatever we can to support the violence prevention curriculum initiative that the Legislature helped move forward last year by joint resolution. It's coming back before us for implementation. This is an effort to establish an integrated violence prevention curriculum in our schools in recognition that violence can be prevented; that it takes an unacceptable toll on our children and communities and that simply reacting to the outcomes of violence is far too costly for our pocketbooks and the quality of our life.

"By addressing violence prevention in our schools, K-12, in a comprehensive, coordinated and integrated way, we can begin to impact the cycle of violence that results in sexual assaults, domestic abuse, child abuse, gang and other community violence.

"Mr. President, we have a lot of pressing needs in our community, but I submit that breaking the cycle of violence must be among our top priorities.

"Thank you."

Senator Matsunaga also rose on point of personal privilege as follows:

"Mr. President, may I continue on a point of personal privilege?"

"I'd like to thank the Senator from Maui for raising the issue of domestic violence. It is of great concern to the co-chairs of the Judiciary Committee and we certainly agree with her 100 percent that it should be a priority item. I'd like to reassure her that we are going to move forward and hear many good measures on domestic violence. Amongst them, one will be to establish a domestic violence fatality review team, which will look at some of the causes for these tragic incidents and perhaps give us an insight on how we can prevent these breakdowns from occurring in the future.

"We also have a measure to look at preventing DAG and DANC pleas for domestic violence offenders. We are also looking at the expungement of records and whether that is appropriate in domestic violence situations. We are also looking at restraining orders and whether the words 'recent incidents' are applicable or if it should be deleted from the judge's discretion in issuing these restraining orders.

"So, I would like to again thank the Senator from Maui for raising these issues and reassure her and my colleagues that we are going to devote full attention to domestic violence this session. Thank you."

Senator Solomon also rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege and as a response to the previous speaker.

"I would like to ask the previous speaker what he meant when he referred to domestic violence as accidents? If he could clarify his position on that because I don't think that domestic violence can be in that category. I also don't think domestic violence can be in the category of 'crimes of passion.' I think that we've come a long way on this issue and these are the kinds of categories or stereotypes that we should refrain from placing domestic violence into.

"I would appreciate it if he would please explain what is meant by classifying domestic violence situations as accidents.

"Thank you."

Senator Matsunaga responded:

"Thank you very much for the question. My father used to say that I mumbled, and perhaps the prior speaker misheard me. I said domestic violence incidents, not accidents. I'll try to articulate a little better in the future.

"Thank you."

#### HOUSE COMMUNICATION

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Clerk was authorized to receive a House communication transmitting H.B. No. 230, H.D. 1, relating to the authorization of funds for the expenses of the Legislature. In consequence thereof and subsequent to its recessing at 11:48 o'clock a.m., the Senate took the following action:

Hse. Com. No. 6, transmitting H.B. No. 230, H.D. 1, which passed Third Reading in the House of Representatives on January 29, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 230, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 12:37 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Thursday, January 30, 1997.

**TENTH DAY****Thursday, January 30, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Fred Apuan, Salvation Army Kauluwela Mission Corps, after which the Roll was called showing all Senators present with the exception of Senators Matsuura and Tam who were excused.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 114 and 115) were read by the Clerk and were placed on file:

Gov. Msg. No. 114, dated December 23, 1996, transmitting the 1995-1996 Annual Report prepared by the Hawaii Community Development Authority pursuant to Chapter 206E, HRS.

Gov. Msg. No. 115, dated January 10, 1997, transmitting the 1996 Annual Report prepared by the Hawaii Strategic Development Corporation pursuant to Section 93-12, HRS.

**STANDING COMMITTEE REPORT**

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2) recommending that H.B. No. 230, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the report of the majority of the Committee was adopted and H.B. No. 230, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Friday, January 31, 1997.

**ADJOURNMENT**

At 11:41 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 31, 1997.

## ELEVENTH DAY

Friday, January 31, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Vincent Mainelli, Holy Trinity Parish, after which the Roll was called showing all Senators present with the exception of Senators Aki, Matsuura and Tanaka who were excused.

The President announced that he had read and approved the Journal of the Tenth Day.

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

Senator Kawamoto introduced Dr. Terry Shintani, author of the Waianae Book of Hawaiian Health, and the Eat More, Weigh Less Diet. Dr. Shintani was accompanied by his wife, Stephanie.

Senator Taniguchi, on behalf of Senate President Mizuguchi, then introduced Mr. Paul Tagliabue, Commissioner of the National Football League; Mr. Joe Brown, Senior Vice President of Communications and Government Affairs; Mr. Joe Ellis, Executive Director of Club Administration and Stadium Management; and Mr. Edwin Hayashi, Aloha Stadium Manager.

The President then stated:

"We don't often have the privilege of having the Commissioner of the National Football League in our presence, so I'd like to ask the Senators for their indulgence as I ask Mr. Tagliabue to say a few words on behalf of the National Football League. I hope that all of you will influence him this morning so that we can have the Pro-Bowl yearly in the State of Hawaii.

"At this time, I ask that Senators Brian Taniguchi and Mike McCartney accompany the Commissioner of the National Football League to the rostrum."

The Senators escorted Mr. Tagliabue to the rostrum and the President presented him to the members of the Senate as follows:

"Members of the Senate, ladies and gentlemen, may I present to you the Commissioner of the National Football League, Mr. Paul Tagliabue."

Mr. Tagliabue addressed the members of the Senate as follows:

"Mr. Chairman and members of the Senate, students and friends:

"It occurred to me, as I was sitting here, that with the students here today, maybe we could talk about reading, 'riting' and 'rithmetic.' But we should add a fourth 'R' to the three 'R's that go into education -- that would be 'relationships' -- because the relationship between the NFL and the State of Hawaii and its people is what we're here this morning to celebrate, and it's a relationship of teamwork, above all. I think the students know, and their teachers know, that teamwork is as important as anything we do in life and it's what will make our reading, writing, and arithmetic successful.

"The team that has been put together here in Hawaii for the last 18 years, involving your representatives, both in the public sector and the private sector, with our representatives, has really produced an extraordinary series of successes in the Pro-Bowl games that have been played here since 1980. And for that

teamwork, we thank you very, very much. It has been extremely successful from our perspective and I hope it has been equally successful from your perspective.

"As was mentioned earlier, with your cooperation, with your support, with the support of your citizens, and your fans and our fans, the game has constantly grown in stature so that on Sunday, when it's televised nationally, we hope to have about 35-40 million people watching our game coming from Aloha Stadium and watching our great athletes perform in the Pro-Bowl.

"From a personal perspective, my visit here annually has become a highlight of the season. It is a time not only to enjoy the splendors of Hawaii and its culture, but to reflect on our season and to visit with our players who contribute so much to our league both on and off the field.

"I start the season each year in the birthplace of the National Football League, Canton, Ohio, which is where our Pro-Football Hall of Fame is located. As we go through the travails of the season, sometimes fighting amongst ourselves, sometimes just working very hard to present a successful season to our fans, the prospect of coming here and celebrating the Pro-Bowl, celebrating a successful Superbowl as we are doing this year, and enjoying your friendship, has turned out to be as much of a highlight as the start of the season in Canton.

"We look forward to upcoming discussions about a continuing relationship with Hawaii. I think the ingredients of the success of the Pro-Bowl are clear -- it's your hospitality; it's your geography, your culture, your facilities and, above all, the hard work and interest of your people -- and we hope that relationship can continue. We hope we can be good partners. We expect that the teamwork that's made this so successful will be a continuing ingredient, and we thank you for that. We thank you for your time today and, above all, we thank you for your interest and support.

"Mahalo."

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

The Senate reconvened at 11:57 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 116 to 122) were read by the Clerk and were placed on file:

Gov. Msg. No. 116, dated January 14, 1997, transmitting a report of the activities of the Hawaiian Home Lands Individual Claims Review Panel during 1996.

Gov. Msg. No. 117, dated January 22, 1997, transmitting a report prepared by the Department of the Attorney General pursuant to Act 303, SLH 1996, addressing the issues of tort liability, the Americans With Disabilities Act, and any constitutional concerns as they may relate to family child care homes in limited-equity housing cooperatives, cooperative housing corporations, condominium property regimes and townhouse projects.

Gov. Msg. No. 118, dated January 22, 1997, transmitting a report prepared by the Department of Health pursuant to Act 41, SLH 1992, establishing the primary health care incentive program and the primary care roundtable.

Gov. Msg. No. 119, dated January 22, 1997, transmitting a report prepared by the Agribusiness Development Corporation in response to H.C.R. No. 63 (1996), requesting the Agribusiness Development Corporation to conduct a study of



the economic potential, problems, and other related matters of growing nonpsychoactive industrial cannabis hemp as an agricultural product in Hawaii.

Gov. Msg. No. 120, letter dated January 27, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1259, which makes a supplementary appropriation in fiscal year 1996-97 for the agricultural resource management program.

Gov. Msg. No. 121, letter dated January 27, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of Administration Proposal ATG-35(97), introduced as S.B. No. 1290, relating to an emergency appropriation for automated systems development for the Department of the Attorney General.

Gov. Msg. No. 122, letter dated January 27, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1433, which makes a supplementary appropriation in fiscal year 1996-97 for tourism marketing.

### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 7) was read by the Clerk and was referred to committees:

#### Senate Concurrent Resolution

No. 7 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE MARRIOTT EDUCATION SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA."

Offered by: Senator McCartney.

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

### ORDER OF THE DAY

#### THIRD READING

There being no objections, the Senate advanced the consideration of the following House bill listed on the Order of the Day:

H.B. No. 230, H.D. 1:

Senator Fernandes Salling moved that H.B. No. 230, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator M. Ige rose in opposition to the measure and stated:

"Mr. President, I have some words in opposition to this measure that I'd like to have inserted into the Journal."

The Chair having so ordered, Senator M. Ige's remarks read as follows:

"Mr. President, I speak in opposition to H.B. No. 230, H.D. 1.

"I believe that we lead by example and an increase in the Legislature's budget for this session sets a poor example. At a time when the state is strapped for funds and the state administration has submitted a zero-growth budget, the Legislature should be similarly responsive and do no less -- and definitely, no more.

"Over the past few weeks, as co-chair of the Senate Committee on Government Operations and Housing, we have been reviewing various government programs and services. With the leadership role the committee holds, I have felt it necessary to consider the issue of growth very thoroughly. In so doing, I have become even more acutely aware of our immediate and pressing need to economize throughout government in every way possible. Our committee is constantly and consistently asking state departments to review their operations with a look to cutting costs while increasing efficiency.

"Mr. President, I mean no disrespect to you and my colleagues, but after much consideration and reflection, I believe an increase in the Legislature's budget at this time sends the wrong message. Based on the hearings and meetings that I have conducted so far, it would be inconsistent for me to vote for a 4 percent increase in the Legislature's budget. Therefore, I have no choice but to cast a 'no' vote on this measure."

The motion was put by the Chair and carried, H.B. No. 230, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Ige, M.). Excused, 3 (Aki, Matsuura, Tanaka).

### MATTER DEFERRED FROM TUESDAY, JANUARY 28, 1997

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1 (Jud. Com. No. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 1 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of COLETTE YODA GARIBALDI for Judge of the District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and stated:

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

"Mr. President, upon review of the background information submitted by the nominee, your Committee finds that Colette Yoda Garibaldi holds two bachelors degrees from the University of Southern California and a J.D. degree from Loyola Law School. Ms. Garibaldi first served as an attorney in a private law firm in 1981 and as a Deputy Prosecuting Attorney with the Department of the Prosecuting Attorney's Office, City and County of Honolulu, from 1982-1988. Ms. Garibaldi has since served as a per diem district court judge for the First Circuit since her first appointment in 1988. Ms. Garibaldi is also a volunteer member of the District Court Per Diem Judges' Training Committee and has been nominated as a mentor with the Judiciary Mentoring Program.

"Testimony was submitted to your Committee in support of the nominee which indicated that both in her experience as a Deputy Prosecuting Attorney and during her tenure as a Per Diem Judge, Ms. Garibaldi has consistently demonstrated a keen knowledge of the law. Testifiers further acknowledged her exemplary judicial temperament and integrity in her consideration of the cases presented before her as well as her excellent interpersonal skills in working with the public and the legal community.

"I urge my colleagues to consent to this nomination."

Senator Anderson also rose in support and said:

"Mr. President, that's what I had written down, so rather than go over it again, may I have the chairman's words put into the Journal as though they were my own. Thank you."

The Chair so ordered.

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Matsuura, Tanaka).

At this time, Senator Chumbley introduced Judge Garibaldi to the members of the Senate. (Judge Garibaldi, who was seated in the gallery with her family, then rose to be recognized.)

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill Referred to:

No. 45 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, then to the Committee on Ways and Means

No. 214 Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 262 Committee on Human Resources, then to the Committee on Ways and Means

No. 348 Jointly to the Committee on Education and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 385 Committee on Human Resources, then to the Committee on Water, Land, and Hawaiian Affairs

No. 410 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Health and Environment

No. 413 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 464 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 476 Committee on Human Resources, then to the Committee on Water, Land, and Hawaiian Affairs

No. 653 Jointly to the Committee on Human Resources and the Committee on Judiciary

No. 789 Jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 802 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 819 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 840 Committee on Human Resources, then to the Committee on Ways and Means

No. 877 Jointly to the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1082 Committee on Health and Environment, then to the Committee on Ways and Means

No. 1113 Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary

No. 1176 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1472 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1610 Committee on Government Operations and Housing

No. 1663 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary

No. 1664 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Transportation and Intergovernmental Affairs

No. 1675 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1759 Jointly to the Committee on Government Operations and Housing and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1866 Committee on Ways and Means

No. 1870 Committee on Government Operations and Housing, then to the Committee on Ways and Means

Senator Matsunaga rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, today the resignation of one of our colleagues takes effect. I know I am not alone in my belief that this body will not be the same without Senator Matsuura's avuncular presence.

"When I first arrived in the Senate five years ago, Senator Matsuura took me under his wing to teach me how to become a good Senator. He told me he wanted to help me because of his respect for and friendship with my father, and because he wanted to help me fulfill some of my father's visions on world peace and renewable energy. What I learned over the past five years is that Senator Matsuura is a remarkable person. And I know 'remarkable' is the word that many of us have used to describe him in many different instances.

"An author of wonderful children's books, a farmer of plentiful soy beans, a dreamer of tremendous visions, and a

singer of modest abilities, Senator Matsuura is truly a Renaissance Man. I think if you looked up the word 'character' in the dictionary, you'd find a picture of him right next to that word.

"I believe that historians will remember Senator Matsuura for his many, many legislative achievements, including his work on state procurement, telecommunications, renewable energy, and the water code. What I think this body will miss the most are his brutal honesty and his unrelenting perseverance.

"I'm sure each of us has a Dick Matsuura story about his sometimes less than tactful statements. He is constantly telling me how much he dislikes lawyers, but that I'm O.K. In fact, in a political world, where diplomacy is the norm, Senator Matsuura is a bull in a china closet. He was often the conscience of this body, scolding us when he thought we did not put the people first.

"Senator Matsuura is also unrelenting when he sets his sights on a goal. Whether it is striving for the 'common sense law,' or investigating why he can't get a light on his phone to turn on, or seeking the perfect site for a peace institute where leaders from around the world can meet and grow mahi-mahi to feed the world, he never gives up. He will dream and he will work and he will dream and he will work until he achieves his goal.

"What I will miss most, though, is the warmth that he radiates. He loves food so much, he became a farmer. He loves movies so much, he even wrote a movie script and tried to get it produced. He loves his country so much, his favorite song is 'God Bless America.' And he loves his job as a Legislator so much, he devoted his life to it.

"Mr. President, I ask my colleagues today to join me in supporting Dick Matsuura, as he faces the toughest challenge he has ever faced, by praying for him and by never ever forgetting what he stands for.

"Thank you."

The Chair responded:

"Thank you, Senator, for those kind words."

#### ADJOURNMENT

At 12:08 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., Monday, February 3, 1997, in honor of their friend and colleague, Senator Richard Matsuura, upon his retirement from the Hawaii State Senate.

## TWELFTH DAY

**Monday, February 3, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:35 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Peter Lee, All People Mission Church.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:38 o'clock a.m.

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 125, informing the Senate that he appointed Wayne C. Metcalf to the Senate, effective February 1, 1997, to fill the vacancy created by the resignation of Richard M. Matsuura from the State Senate, 2nd Senatorial District, and pursuant to Section 17-3, HRS, Mr. Metcalf's term will expire on General Election Day of 1998, was read by the Clerk and was placed on file.

A Committee on Credentials, having been appointed by the Chair, examined the Letter of Appointment of the Honorable Wayne C. Metcalf and submitted its findings to the Senate.

**SPECIAL COMMITTEE REPORT**

Senator Chumbley, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 2) as follows:

"The Honorable Norman Mizuguchi  
President of the Senate  
The Nineteenth State Legislature  
State Capitol  
Honolulu, Hawaii 96813

Dear President Mizuguchi:

Your Committee on Credentials begs leave to report that it has received Governor's Message No. 125 and has examined the credentials of the Honorable Wayne C. Metcalf and finds that he is fully qualified to fill the vacancy in the Senate, Second District, created by the resignation of Senator Richard M. Matsuura for the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997.

Respectfully submitted,

/s/ Avery B. Chumbley  
/s/ Matt Matsunaga  
/s/ Whitney Anderson"

Senator Ihara moved that Special Committee Report No. 2 be adopted, seconded by Senator Slom and carried.

The Committee on Credentials was thereupon discharged.

The Chair, at this time, appointed Senators Ihara and McCartney to escort the Honorable Robert G. Klein of the Hawaii State Supreme Court to the rostrum to administer the oath of office to the newly appointed member of the Senate.

The Senators escorted Associate Justice Klein to the rostrum and were thereupon discharged with thanks.

The Chair then appointed Senators Levin, Solomon, Taniguchi and Slom to escort the Honorable Wayne C. Metcalf to the rostrum.

Associate Justice Klein administered the oath of office to the newly appointed member of the Senate, the Honorable Wayne C. Metcalf.

Senator McCartney then rose and stated:

"Mr. President, on behalf of your Majority members, I'd like to take this opportunity to welcome the newest member of the Senate, our colleague from Hilo. We recognize that he fills the seat of our friend and colleague and now he comes into the Senate as a full member of the body. He's committed to working hard with us as a partner and a colleague to do what's right for the people of Hawaii, and the Majority stands ready to work with him as a partner to do what is right for the people of Hawaii.

"Congratulations, Senator."

Senator Slom also rose and stated:

"Mr. President, on behalf of the Minority, we too would like to welcome the new Senator. We know that he does have very difficult shoes to fill, but we stand ready to offer our assistance and hope that this will be a most productive and energetic service. Thank you."

Senator Levin then added:

"Mr. President, on Friday the good Senator from Palolo with great eloquence helped us bring closure to the long and distinguished career of Senator Matsuura. Today, the Senate, having called itself the people oriented institution working for the public good, must continue and carry on with the people's work. And so, today we mark the renewal of a legislative career of another Big Islander, our new Senator from Hilo.

"With all the attention that has been given to reform of 'high three', here is an individual who has given up the prestigious position of Insurance Commissioner after just two years, to come back to the institution where he first trained under and learned the legislative process from legends such as John Ushijima.

"Senator, you are returning to a new Senate marked by innovation, collaboration, and determination to deal with the difficult issues of the day. You already had your baptism under fire in the Judiciary Committee this morning, and tomorrow I look forward to co-chairing the Health Committee with you.

"On behalf of our Big Island constituents and on behalf of the entire Senate, welcome back to the Legislature and we wish you well.

"Thank you."

Senator Anderson then stated:

"Mr. President, I would feel remiss if I didn't say a few words for our new Senator.

"I've had the privilege of working with him in the House. He was my House chairman in Judiciary for four years and I enjoyed serving with him, and I know I'll enjoy serving with him in the Senate. Welcome."

Senator Baker rose and said:

"Mr. President, I, too, would like to welcome Senator Metcalf. Just the other day in our committee hearing he sat across the table as Insurance Commissioner Metcalf. We didn't get the chance to grill him on some of the issues before us at that particular time, so it's going to be good to work with him

now as a colleague. I look forward to having that expertise available to our body.

"And I know I join with all my former House colleagues who served with then-Representative Metcalf in the old days to say we appreciated your spirit of enthusiasm, commitment to public service, integrity and honesty then, and we look forward to that same spirit of collegiality here in the Senate."

The Chair then added:

"If there is no further discussion, I, too, would like to welcome Senator Metcalf. As a former Big Island native, I know he has Hilo and the Big Island etched in his heart. Welcome, Senator."

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

The Roll was then called showing all Senators present.

The President announced that he had read and approved the Journal of the Eleventh Day.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 123, 124 and 126) were read by the Clerk and were placed on file:

Gov. Msg. No. 123, letter dated January 28, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of Administration Proposals HMS-1(96), introduced as S.B. No. 1545, which makes an emergency appropriation for an electronic benefit transfer system; HMS-5(97), introduced as S.B. No. 1548, which makes an emergency appropriation for the state medical assistance program; and HMS-8(97), introduced as S.B. No. 1550, which makes emergency appropriations for the Randolph-Sheppard Revolving Account and for the blind shop revolving and handicraft fund.

Gov. Msg. No. 124, dated January 17, 1997, transmitting a report on the "1996 JOBS Opportunities and Basic Skills Program," prepared by the Department of Human Services, Self-Sufficiency and Support Division, pursuant to Section 346-276, HRS.

Gov. Msg. No. 126, informing the Senate that on January 31, 1997, he signed into law House Bill No. 230 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

**STANDING COMMITTEE REPORTS**

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3) recommending that the Senate consent to the nomination of KENNETH E. ENRIGHT to the office of Judge, District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3 and Jud. Com. No. 2 was deferred until Tuesday, February 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 4) recommending that S.B. No.

630 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, the report of the Committee was adopted and S.B. No. 630, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 5) recommending that S.B. No. 81 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, the report of the Committee was adopted and S.B. No. 81, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 6) recommending that S.B. No. 149 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, the report of the Committee was adopted and S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 5, 1997.

**ORDER OF THE DAY**

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

- | Senate Bill | Referred to:  |
|-------------|---|
| No. 25      | Committee on Education, then to the Committee on Human Resources  |
| No. 175     | Committee on Health and Environment   |
| No. 217     | Committee on Human Resources, then to the Committee on Ways and Means   |
| No. 250     | Committee on Transportation and Intergovernmental Affairs, then jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means |
| No. 663     | Committee on Water, Land, and Hawaiian Affairs, then jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means            |
| No. 918     | Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means   |
| No. 1210    | Committee on Economic Development, then to the Committee on Ways and Means  |
| No. 1650    | Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Health and Environment, then to the Committee on Ways and Means                             |
| No. 1651    | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and   |

Intergovernmental Affairs, then to the Committee on Ways and Means

No. 1666 Jointly to the Committee on Economic Development and the Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs

No. 1887 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

Senator Metcalf rose at this time and stated:

"During the years that I served as a member of the Senate staff and later as a member of the House of Representatives, I developed a deep respect for the Legislature as the institution of government that best expresses the public will and to which our communities' aspirations for a better future are most nobly expressed. I accept with honor and humility Governor Cayetano's appointment of me to the Senate, though given the circumstances, it is an honor that comes at a moment that is barren of joy. Senator Matsuura's contributions to this body and to the people of Hawaii have been both real and significant, and my wife and I will continue to keep Senator Matsuura and his family in our hearts and prayers.

"Mr. President and members of the Senate, thank you for your warm welcome."

At this time, Senator Taniguchi introduced Shirley Metcalf, wife of Senator Wayne Metcalf, who was seated on the floor of the Senate.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I didn't plan on standing this week, but it came to my attention in the Sunday Advertiser on page A-30, I believe it was, that out of the 4,000-some-odd bills that we put in, 225 were from the administration, and they saw fit to list 19 Senate bills, but not one of them, not one of them, my colleagues, even came close to economic concerns of this state. And it is something that I feel is absolutely wrong when we're in a turmoil, as we are right now, and we're not even looking at economic benefits for this state. And I think that the administration in its address to the state said that was going to be one of the high priorities.

"I would hope that we would get on to our business and make sure that we provide jobs for our people. We've put in bills to look at harbors; we have put in bills to look at land leasing on our state lands; we have tried very hard. We've even put in bills for unicameralism so that we can come down with a few less people and maybe save the state some money and get rid of some of us that are not paying attention to what's really needed in this state.

"I have people that are out of work as contractors. They are not getting any benefits from this state because there are no jobs. We're paying over \$2,000 each household, over and above what we should for shipping in needed products. Because we are an island state, those are concerns that we should be looking at, ladies and gentlemen -- not sitting down and saying this is what's going to happen with same sex; this is what's going to happen with 'high three'; this is what's going to happen with this. Those are bills that we promised. But we should be getting on with the working of this Senate to make sure that we look at the concerns of the people out there that do not have jobs and food on their table.

"Thank you very much, Mr. President. I'm sorry that I had to get a little upset this morning."

Senator Solomon also rose on a point of personal privilege and said:

"Mr. President, I also rise on a point of personal privilege.

"Mr. President, I rise to speak in regard to the letter published in the Star Bulletin, 1/30/97, entitled 'Legislators must focus on economic recovery,' signed by the present and past directors of the Department of Business, Economic Development, and Tourism (DBEDT). I find the letter puzzling.

"I, along with my colleagues in the Legislature, have been regularly disappointed by DBEDT's failure to support legislative economic development initiatives and in many cases actively oppose such initiatives. For example, last session the Senate introduced legislation to establish 'Renaissance Zones' in Hawaii, patterned after a program developed by Governor Engler in Michigan and described by an expert on enterprise zones at the Reason Foundation, a public policy research group in Los Angeles, as 'probably the most far ranging, far reaching enterprise legislation' yet acted on in any state. That bill was killed because our economic development agency (DBEDT), in the House, testified in opposition to it. It has been reintroduced again this year by Representative Herkes. I do not look forward to DBEDT's support.

"Last year also, we developed a program for a major stimulus to the economy of my district and the state, a whole new industry - Remote Sensing - with the potential to make Hawaii preeminent in the high-tech field. This initiative was killed by the administration after legislative passage because of DBEDT's lack of support and enthusiasm. Many of my colleagues have similar stories.

"DBEDT has demonstrated to us in the Legislature a 'Bunker mentality' and a similar 'us against them' posture toward the business and scientific communities. It is no wonder our state is ranked at the bottom of the nation in terms of a favorable climate towards business.

"Mr. President, as an addendum to my point of personal privilege, I'd like to bring to my colleagues' attention that there was an article that also appeared that says 'Hawaii lags in technology jobs, study finds. The high-technology industry employs more than 4 million Americans in 1995, with California and Texas leading the way and Hawaii ranking 47th among the 50 states.' Mr. President, this is no surprise when we're dealing with these kinds of negatives instead of an administration that is willing to help the Legislature in our efforts toward economic recovery.

"Thank you, Mr. President."

At this time, the Chair announced the appointment of Senator Metcalf as co-chair of the Committee on Health and Environment, and as a member of the Committee on Judiciary and the Committee on Education.

At 12:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

#### ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 4, 1997.

## THIRTEENTH DAY

Tuesday, February 4, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Frank Walton, Hauula Seventh-Day Adventist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twelfth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 127 to 138) were read by the Clerk and were placed on file:

Gov. Msg. No. 127, dated January 14, 1997, transmitting the "Report to the Foreign-Trade Zones Board on General-Purpose Zone and Special-Purpose Subzone Activity in the State of Hawaii for Federal Fiscal Year 1996 (October 1, 1995 - September 30, 1996)," prepared by the Department of Business, Economic Development and Tourism pursuant to the Foreign-Trade Zones Act and the regulations of the Foreign-Trade Zones Board.

Gov. Msg. No. 128, dated January 21, 1997, transmitting the 1994 and 1995 Annual Reports prepared by the Department of Human Services.

Gov. Msg. No. 129, dated January 22, 1997, transmitting a report, "Relating to Controlled Substances," prepared by the Department of Public Safety pursuant to Section 329-11, HRS.

Gov. Msg. No. 130, dated January 22, 1997, transmitting a report on Federal Fund Reimbursements Received, prepared by the Department of Public Safety pursuant to Section 329-11, HRS.

Gov. Msg. No. 131, dated January 22, 1997, transmitting the 1996 Annual Report prepared by the Non-Government Members of the Marine and Coastal Zone Management Advisory Group pursuant to Section 205A-3.5, HRS.

Gov. Msg. No. 132, dated January 24, 1997, transmitting a report, "Tax Credits Claimed by Hawaii Residents, 1994," prepared by the Department of Taxation.

Gov. Msg. No. 133, dated January 24, 1997, transmitting the "1997 Report to the Governor on Employment and Tourism Training," prepared by the Department of Labor and Industrial Relations, Commission on Employment and Human Resources and the Tourism Training Council, pursuant to Sections 202-2 and 373F-6, HRS.

Gov. Msg. No. 134, dated January 28, 1997, transmitting a report "1994 Hawaii Income Patterns; Individuals," prepared by the Department of Taxation.

Gov. Msg. No. 135, dated January 31, 1997, transmitting the "Comprehensive Annual Financial Report of the State of Hawaii for Fiscal Year Ended June 30, 1996," prepared by the Comptroller pursuant to Section 40-5, HRS.

Gov. Msg. No. 136, letter dated January 28, 1997, requesting that S.B. No. 1443 be amended to reflect appropriations and authorizations required for the four-year Unit 7 (University of Hawaii Professional Assembly) Agreement which was ratified by the employees concerned.

Gov. Msg. No. 137, letter dated January 30, 1997, as provided in Section 9, Article VII of the Constitution of the

State of Hawaii, requesting the immediate consideration and passage of Administration Proposal HTH-30 (97), introduced as S.B. No. 1582, which appropriates a designated sum to the Department of Health for the provision of child and adolescent mental health programs.

Gov. Msg. No. 138, letter dated January 31, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of the Administration Proposal introduced as S.B. No. 1323, which makes an emergency appropriation for an automated tax systems acquisition by the Department of Taxation.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 14, from the State Auditor dated February 3, 1997, transmitting a report, "Financial Audit of the Harbors Division," (Report No. 97-5), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 7 to 9) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 7, transmitting H.B. No. 106, H.D. 1, which passed Third Reading in the House of Representatives on February 3, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 106, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 8, transmitting H.B. No. 111, H.D. 1, which passed Third Reading in the House of Representatives on February 3, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 111, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 9, transmitting H.B. No. 214, which passed Third Reading in the House of Representatives on February 3, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 214, entitled: "A BILL FOR AN ACT RELATING TO KEAHOLE AIRPORT," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

## SENATE COMMUNICATION

Sen. Com. No. 1, notice to the Governor dated February 4, 1997, transmitting H.B. No. 117, S.D. 1, which proposes amendments to the Hawaii State Constitution.

By unanimous consent, the following notice was sent to the Governor:

"February 4, 1997

The Honorable Benjamin J. Cayetano  
Governor of the State of Hawaii  
State Capitol

Honolulu, Hawaii 96813

Dear Governor Cayetano:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following House Bill, a copy of which is attached hereto:

H.B. 117, S.D. 1  
 'PROPOSING A CONSTITUTIONAL AMENDMENT  
 RELATING TO MARRIAGE'

Respectfully,

/s/ Paul T. Kawaguchi  
 Paul T. Kawaguchi  
 Clerk of the Senate"

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 8 to 17) were read by the Clerk and were deferred:

**Senate Concurrent Resolution**

No. 8 "SENATE CONCURRENT RESOLUTION URGING PROTECTION OF THE SACRED POHAKU OF WAIKIKI."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 9 "SENATE CONCURRENT RESOLUTION URGING FULL INSURANCE COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR PROSTATE CANCER."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 10 "SENATE CONCURRENT RESOLUTION URGING THAT PUA KA'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL OCEAN ACTIVITIES."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 11 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON NATIVE HAWAIIAN CULTURAL FOOD RESOURCES."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 12 "SENATE CONCURRENT RESOLUTION URGING THE PROTECTION AND PRESERVATION OF THE HAWAIIAN HISTORIC, CULTURAL, AND SPIRITUAL RESOURCES IN THE CORRIDOR AND AREAS ADJACENT TO THE PROPOSED ALI'I HIGHWAY IN KONA."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 13 "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 14 "SENATE CONCURRENT RESOLUTION URGING THE AWARD OF THE CLEANUP AND RESTORATION OF KAHO'OLAWA PRIME CONTRACT TO A NATIVE HAWAIIAN OWNED COMPANY."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 15 "SENATE CONCURRENT RESOLUTION OPPOSING THE AMENDED ALIGNMENT OF MAMALAHOA HIGHWAY BYPASS."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 16 "SENATE CONCURRENT RESOLUTION URGING INCREASED LEASE RENTS FOR MILITARY RANGES."

Offered by: Senators Solomon, Aki, Anderson, Fernandes Salling.

No. 17 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO DEVELOP A PROGRAM THAT PAIRS COLLEGE STUDENTS WITH DELINQUENT YOUTHS TO TRACK THEIR PROGRESS AND SERVE AS MENTORS AND ROLE MODELS."

Offered by: Senator Chun Oakland.

**STANDING COMMITTEE REPORTS**

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 7) recommending that S.B. No. 447, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 447, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 8) recommending that S.B. No. 129, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 9) recommending that S.B. No. 202, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 10) recommending that H.B. No. 117, as amended in S.D.



1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 117, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO MARRIAGE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 6, 1997.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 11) recommending that H.B. No. 118, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 118, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 6, 1997.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3 (Jud. Com. No. 2):

Senator Matsunaga moved that Stand. Com. Rep. No. 3 be received and placed on file, seconded by Senator Chumbley and carried.

Senator Matsunaga then moved that the Senate advise and consent to the nomination of KENNETH E. ENRIGHT for Judge of the District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Chumbley.

Senator Matsunaga rose in support of the nominee and said:

"Mr. President, Kenneth E. Enright holds a Bachelor of Science degree from Boston College and a J.D. from St. John's University Law School. Mr. Enright presently serves as a Deputy Attorney General in the Family Law Division and has been with the Department of the Attorney General since 1980. Mr. Enright has participated in numerous committees regarding policy development in the area of child abuse and neglect. He has co-authored Chapter 587, the Child Protective Act, and he also received the Governor's Award for Distinguished State Service to the Department of the Attorney General in 1985.

"Testimony was submitted to your Committee in support of the nominee which indicated that throughout his experience in the Department of the Attorney General, Mr. Enright has consistently demonstrated commitment, compassion, and vision in regard to the needs of families. Testifiers further acknowledged his sensitivity, fairness, and wisdom which have prepared him to deal with the complexity of the problems that bring people into the family court.

"Mr. President, Mr. Enright also testified that he could be tough when necessary.

"I urge my colleagues to vote in favor of this nomination. Thank you."

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

Ayes, 24. Noes, none. Excused, 1 (Chun Oakland).

At this time, Senator Matsunaga introduced Judge Enright to the members of the Senate. (Judge Enright, who was seated in the gallery with his wife, Amy, then rose to be recognized.)

### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 132	Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Ways and Means
No. 263	Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 1262	Committee on Judiciary

Senator Bunda rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday in the Judiciary Committee hearing on the issue of same-sex marriage, after hours of public testimony and just prior to decision-making, both chairs handed over to the committee members a draft proposal of a new bill for members to digest in just a matter of minutes. Mr. President, I objected to the way it was handled, and specifically, Mr. President, the chairs gutted H.B. No. 117 and replaced the text with S.B. No. 1800. House bill 118 was amended by adding an array of language taken from other bills and sources regarding rights and benefits of non-traditional marriage partners.

"Mr. President, I think you know what the problem is. The problem is that it was a shot-gun approach which I thought we had done away with. Are we not supposed to be working in the spirit of cooperation and collaboration, Mr. President? I really thought openness and public review was the order of the day.

"Mr. President, the chairs' response to my request for time to digest the contents of the proposal was that we had discussed all of the elements of the bill so there was no need for further review by members of the committee and by the public. And you'd only need to read this morning's newspaper to learn that at least some people feel that the whole procedure was a scam. I ask you, Mr. President, is this the spirit of cooperation? And I know that all of us are under tremendous pressure of deadlines and time constraints, but that is no, no excuse for sidetracking the issue. Members should have had the copy of the draft at least a day in advance to review its contents.

"The committee's majority decision, yesterday, was made well in advance of five hours of testimony presented to the committee. I ask you, Mr. President, does that raise the level of public confidence in government?

"In your memo dated December 4, 1996, to the members, it was included in the 1997 Senate Legislative Reform Package and specifically on Item F, it says: Proposed drafts of measures in which the entire contents of the bill would be replaced must be available to members of the committee and the public for review at the time the notice of hearing on the proposed draft is to be posted.

"Mr. President, are we still operating under the spirit of reform or have we dispensed with reform when it is convenient to do so? Mr. President, I ask for your ruling on this matter. Thank you."

The Chair replied:

"Thank you. The Chair will take that under advisement."

Senator Sakamoto then rose and said:

"Mr. President, I concur with Senator Bunda's remarks. I'm glad that we started this session in that spirit of collaboration and working together and I would hope that we can return to that. The public had a very short time, two minutes, to testify. Most of their testimony was based on being for or against a constitutional amendment -- not really specific to the proposed legislation. I think we clearly owe the public the ability to respond to measures that we propose to pass.

"Thank you."

Senator Bunda rose again and said:

"Mr. President, I just wanted to ask the Chair a question.

"You had said that you would take that under advisement. When could we expect some advice from you?"

The Chair responded:

"I will give you that answer as soon as I confer with the co-chairs of the committee."

Senator Bunda then said:

"Thank you, Mr. President.

Senator Anderson also rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege, and I'd like to say that I'd like to follow up and I think this is a non-partisan issue. It's an issue of the people.

"Yesterday, if you remember, I asked for a recess, and I went over and asked the chairman. In his statement he said that he was going to have decision-making, and I went over during the recess and said, 'Is that decision-making,' and he said, no, it was going to be recommendations. And then when we went back to the auditorium at 12:30 and listened to the balance of those 150-some-odd people, they then said we're going to have decision-making. And that's not fair and equitable; that's not keeping your word to your own colleague. And that's what the biggest disappointment is.

"Also, on our wall outside of the Judiciary Committee there is a statement there for everybody to read: Publicly, we will have hearings to receive testimony on measures that will be held Monday through Thursday mornings, 8:30 to 11:00 a.m. Public decision-making measures will be held each Friday morning from 9:30 upon completion of the following week's public hearing. That's in our own words! You break your own rules!

"And yesterday, when I walked out, Mr. President, by no means was I supposed to be excused. I told them I didn't care what they did; that I voted 'no' on every measure because all of those people that came were from neighboring islands; they were from here; some were even from the mainland. And I don't think that's fair that we sit down and within a half-hour we go back in and then we come up with 'we met over the weekend and this is what we came up with.' I think it's unfair and unjust to every person that was there.

"And I'd like to know if I can ask the chairman a question, Mr. President. Will he yield to a question? I know you have co-chairs, so I'll take Senator Chumbley."

The Chair posed the question and Senator Chumbley replied:

"Yes, Mr. President, I'll yield to a question."

Senator Anderson continued:

"I went to Senator Chumbley because he's the one I asked. Did I not ask you yesterday if there was going to be decision-making or not?"

Senator Chumbley responded:

"Mr. President, I'd like to read my comments that were in the Journal from yesterday."

Senator Anderson interjected:

"I am not asking for that, sir ...."

Senator Chumbley continued:

"Mr. President, your Committee on Judiciary is currently standing in recess with the intention of reconvening at 12:30 this afternoon for the purpose of hearing the rest of the testimony on the same-sex marriage issue. We've listened to over 100 testifiers and we have about 50 left.' Now this is the important part, Mr. President. 'We would ask the committee members to please attend because it is the intention of the chairs to be making recommendations for decision-making right after the public testimony was completed. Thank you.'

"And that is a record of the Journal, Mr. President."

Senator Anderson then said:

"Mr. President, when I went to his desk I said, 'Is that decision-making or just plain recommendations?' That's why I went over. If he had said it's going to be also to have decision-making, I would have damn well said, no way. I would not have gone back. I would have let everybody here know that we don't follow our rules! Those are not really recommendations -- they're what we are going to do. It's a decision. How can you take all of those bills? When we were in the committee hearings, Mr. President, we bundled them together. When somebody said I like this bill better than that, we may have asked a question on that particular bill. We didn't know which bills were going to be killed and which ones were going to be considered. And that's where it's not fair. Take anybody, one side or the other.

"Thank you very much, Mr. President."

At 11:55 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 Chumbley rose again on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, it is unfortunate that some of my colleagues are dissatisfied with the content when they claim it to be the process. I want you to know that the hearing notice that is posted outside of the Judiciary room, in fact, deals with our normal hearings in room 229 which are a Monday through Friday block. On Tuesday, January 28, when this hearing notice was posted for the Monday, February 3, hearing which included all the measures on the same-sex issue, it said: 'If necessary, the hearing will reconvene at 12:30,' which we did, Mr. President. 'Decision-making to follow.'

"We provided the public, we provided the members, we provided everyone, with very clear, very honest information on what our intentions were. It was the intention of the chairs to make recommendations for decision-making right after the public testimony is completed. It's in the Journal, Mr. President. We followed the rules under which the Senate

adopted and we ran the hearing with the opportunity for the public to present testimony and for the members to ask questions. We were straight-forward in all of our intentions and all of our actions, Mr. President."

Senator Matsunaga also rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I concur that it is indeed unfortunate that some members feel that they did not have enough time to fully study and digest the many issues that were raised during yesterday's hearing. And yes, in an ideal, in a perfect world, each of us would have a greater opportunity to study these issues, to take the bills home overnight and to review them before making an informed decision. However, we are on a timetable. The public has made its voice known that they want action on this issue. They don't want more debate -- they want action. We made a commitment at the beginning of this session and we identified this issue as one that we would move forward quickly and promptly.

"Those that are complaining about what occurred yesterday have no basis for their complaint. We complied with every single rule that this Senate has adopted. We posted the notice; we notified members that decision-making will be held. For those that are complaining about what happened, the proper redress is to change the rules. If you don't like what happened, change the rules. But it is simply wrong, wrong, wrong to complain when you don't get what you want and when the rules were indeed followed.

"I will be more specific. On H.B. No. 117, which we passed out, we voted on the content of S.B. No. 1800. This was one of the measures we heard. Members should have had adequate opportunity to study this measure. The public provided testimony on it. Its content was no big surprise.

"House bill 118, which we revised, followed the guideposts set forth in H.B. No. 118 and S.B. No. 98, a measure that ten of our colleagues introduced, including three members of our Judiciary Committee, and we added to that. You should also consider the fact that, at yesterday's hearing, we also heard S.B. No. 795, which is a measure that this Senate passed out last session, and which provides for approximately 350 or so marital rights to domestic partners. House bill 118, as we received it, provided for four of those rights. Senate bill 98 also provided for an additional four of those rights.

"Our measure took an intermediary approach between S.B. No. 795 and the other two measures and provided for approximately 200 of the 350 or so rights that were identified by the Commission on Sexual Orientation and the Law.

"Mr. President, we have heard this issue for four or five years. We have had countless, countless hearings and hours and hours of testimony. It is time for action, Mr. President. Thank you."

Senator Solomon rose on a point of order and stated:

"Mr. President, point of order.

"Mr. President, I am getting confused here. I thought that we had one of the members of this body stand and ask for your opinion on a question. You stated to this body that you need time to check with the chairmen. You took it under advisement. Why are you continuing, Mr. President, on a point of personal privilege, to debate this issue?"

The Chair replied:

"The debate is over. That was the last speaker, I believe, to speak on this issue. Let us continue with the Order of the Day."

Senator Solomon stated:

"Yes, I would appreciate that, Mr. President. Unless you are prepared at this moment to give us your recommendation to the question that was posed by the previous speaker."

The President responded:

"I believe I addressed the Senator from Wahiawa, what my intentions were, and those intentions still stand."

Senator Solomon then said:

"Thank you very much, Mr. President."

Senator Anderson rose and said:

"Mr. President, I'd like to have a point of clarification from my learned colleague across the aisle."

The President interjected:

"Do you have a question for him?"

Senator Anderson replied:

"Yes, I do."

The President posed the question and Senator Matsunaga having answered in the affirmative, Senator Anderson queried:

"Thank you very much. Since I am not an attorney I'd like to know, with all of the changes that were on there, and since it is openness that we are talking about and we followed all of the rules, and I've been hanging around this place for some 17 years, you tell me how, with all of those changes, and we didn't get it until after it was finished -- it wasn't handed to any of my colleagues -- how we were supposed to understand if that bill was going to clarify anything for any one group. Was it going to be instrumental to and of benefit to Hawaii; was there any cost effect to Hawaii? There was nothing.

"And all we asked for or all I would have asked for is if we could have had some time to look at the recommendations before you made a decision so that we could have had that document, looked it over, and been given a couple of hours. That's what I'd like to know."

Senator Solomon then said:

"May we have a short recess, Mr. President, please."

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

#### ADJOURNMENT

At 12:08 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., Wednesday, February 5, 1997.

## FOURTEENTH DAY

Wednesday, February 5, 1997

## SENATE RESOLUTION

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Darrow Aiona, St. Mark's Episcopal Church, after which the Roll was called showing all Senators present with the exception of Senator Tanaka who was excused.

The President announced that he had read and approved the Journal of the Thirteenth Day.

Senator Matsunaga, on behalf of himself and Senators McCartney and Chun Oakland, introduced Chanelle Arisue, Michelle Saoit and Rose Mae Rosales the grand prize winner and merit winners, respectively, of the "Spark Matsunaga Peace Poster Contest." Accompanying the young ladies was Mr. Tom Tanji, District Governor of the District 50 Lions Club which sponsored the contest.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 139 to 142) were read by the Clerk and were placed on file:

Gov. Msg. No. 139, letter dated February 1, 1997, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of Administration Proposal HTH-31(97), introduced as S.B. No. 1583, which appropriates a designated sum to the Hawaii Health Systems Corporation, Department of Health, for the operation of the Community Hospital System.

Gov. Msg. No. 140, dated January 22, 1997, transmitting a report on the Public Utilities Commission Special Fund for fiscal year 1995-1996, pursuant to Section 269-33, HRS, and Act 226, SLH 1994.

Gov. Msg. No. 141, dated January 22, 1997, transmitting the "Hawaii Aquaculture Advisory Council 1996 Report," prepared by the Department of Land and Natural Resources Division of Aquatic Resources pursuant to Section 189G-3, HRS.

Gov. Msg. No. 142, dated January 23, 1997, transmitting the 1995-1996 Annual Report prepared by the Hawaii Labor Relations Board pursuant to Section 89-5, HRS.

## SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 18) was read by the Clerk and was disposed of as follows:

## Senate Concurrent Resolution

No. 18 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE MAYORS OF THE SEVERAL COUNTIES TO DESIGNATE FEBRUARY 9 TO 15, 1997 AS 'NATIONAL CHILD PASSENGER SAFETY AWARENESS WEEK.'"

Offered by: Senator Aki.

On motion by Senator Aki, seconded by Senator McCartney and carried, S.C.R. No. 18 was adopted.

The following resolution (S.R. No. 4) was read by the Clerk and was disposed of as follows:

## Senate Resolution

No. 4 "SENATE RESOLUTION REQUESTING THE GOVERNOR AND THE MAYORS OF THE SEVERAL COUNTIES TO DESIGNATE FEBRUARY 9 TO 15, 1997 AS 'NATIONAL CHILD PASSENGER SAFETY AWARENESS WEEK.'"

Offered by: Senator Aki.

On motion by Senator Aki, seconded by Senator McCartney and carried, S.R. No. 4 was adopted.

At this time, Senator Aki rose to speak on the resolutions as follows:

"Mr. President, I want to thank the members of the Senate for allowing Senate Resolution No. 4 to be adopted today.

"Mahalo and thank you on behalf of the many people who are involved in an innovative video entitled, 'Watch It! Don't Dodge It!', which emphasizes safety in crossing streets.

"This is a homegrown educational video complete with supplemental curriculum to enhance child safety awareness. National Child Passenger Safety Awareness Week is February 9 to 15 and this year's program 'Patterns for Life' extends beyond safety seat and seat belt issues to include safe habits for young pedestrians and bicyclists.

"Kanani Burgess of Maili, Wai'anae, a freshman at Sacred Hearts Academy, came up with this idea for the 10-minute video. Her sister Angela was injured in a pedestrian accident on Farrington Highway in 1992. She was struck by a van as she was trying to cross a bus stop where there was no traffic signal.

"Fortunately, Angela is well, but still has traumatic memories.

"Funding for the video was provided by the State Department of Health, Injury Prevention and Control Program, with technical assistance from the University graduate students: Mary Kelly, Helen Kwak and Eva Deocampo.

"This video empowered the children of Wai'anae to speak out on traffic safety issues. The success of this project lay in the premise of capturing the children's fears and concerns about traffic safety. The 'Wai'anae Pedestrian Safety Project' started as a backyard initiative and activated community involvement.

"Contributions from various local businesses and agencies were solicited. The generosity poured out to support the children in delivering their powerful traffic safety message. There were several extremely hot summer weekends where the children of Wai'anae came together to decide on a script, rehearse their lines and finally run the cameras. Odee's story was used to portray the seriousness of these lessons. Accidents involving the bus were of key concern to the children and the need to express what they face daily in their own language was of equal importance.

"Consequently, the film 'Watch It! Don't Dodge It' captures our keiki's making smart choices in traffic. They emphasize the need to 'wise up' in various traffic related situations. The children of Wai'anae have taken the lead in bringing about traffic safety awareness and education. Non-profit organizations such as Learning Disability Association of

Hawaii and Hawaii Families as Allies have agreed to sponsor traffic safety workshops in the prevention of disabilities. The children now challenge the state, city and other communities to follow their lead to make our streets safer.

"Mr. President, I would like to thank you for allowing the many people who were involved in this worthwhile project to be recognized for their accomplishments.

"Here today, and sitting in the gallery, are 75 individuals who supported the efforts. I would like to publicly recognize some of them: Halau O Mililani, Officer Choy, Officer Kawasaki, Disa Hauge, Maili Elementary School, Glen Kila and the Neighborhood Board of Wai'anae, USC NC PAC, Col. Lee, and parents of the Wai'anae community who eagerly supported this effort."

### STANDING COMMITTEE REPORTS

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 12) recommending that S.B. No. 9 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 9, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR AUGUST AHRENS ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 13) recommending that S.B. No. 10 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 10, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A RETAINING WALL ABOVE WAIPAHU HIGH SCHOOL'S ATHLETIC FIELD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 14) recommending that S.B. No. 11 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 11, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AUGUST AHRENS ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 15) recommending that S.B. No. 19 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 19, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEHUA ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 16) recommending that S.B. No. 20 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 20, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NOISE ABATEMENT AT PEARL CITY ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 17) recommending that S.B. No. 21 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 21, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PURCHASE AIR CONDITIONERS FOR PEARL CITY ELEMENTARY SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 18) recommending that S.B. No. 126 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 126, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPLACEMENT OF TERMITE-DAMAGED FURNITURE AND SHELVING AT THE WAHIAWA PUBLIC LIBRARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 19) recommending that S.B. No. 426 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 20) recommending that S.B. No. 445, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.B. No. 445, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CULTURE AND ARTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 21) recommending that S.B. No. 969 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 22) recommending that S.B. No. 981 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No.

981, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 23) recommending that S.B. No. 1000 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 149:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, February 4, 1997:

- |                                    |  |
|------------------------------------|--|
| Senate<br>Concurrent<br>Resolution | Referred to:   |
| No. 8                              | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education   |
| No. 9                              | Committee on Health and Environment, then to the Committee on Ways and Means   |
| No. 10                             | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs  |
| No. 11                             | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development  |
| No. 12                             | Jointly to the Committee on Education and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means                         |
| No. 13                             | Jointly to the Committee on Health and Environment and the Committee on Water, Land, and Hawaiian Affairs  |
| No. 14                             | Committee on Transportation and Intergovernmental Affairs  |
| No. 15                             | Jointly to the Committee on Education and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means                         |
| No. 16                             | Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means |

No. 17                      Jointly to the Committee on Human Resources and the Committee on Education

Senator Sakamoto rose on a point of personal privilege as follows:

"Mr. President, may I also rise on a point of personal privilege? Something has been bothering me and rather than discuss it tomorrow I'd just like to make a statement.

"We have been elected by the people to pass legislation for the benefit of our state and its people. Along with this considerable honor and public trust comes the duty to uphold the Constitution and serve the public welfare. Over the years, our predecessors have created laws and statutes that address the needs and wishes of the people. These have been incorporated into the Hawaii Revised Statutes.

"Our government has provided special facilities for the disabled, general assistance for those in need, tuition waivers for seniors and veterans, after-school care for students, and yes, special benefits for families and married couples. The favored status given marriage and families in the law is a reflection of the will of the people.

"Recently, some people have made claim to rights and benefits based on the fact that another group has been given these benefits. They claim to deserve these benefits and privileges simply because others have them. Where will it all end?

"Mr. President, the Hawaii Revised Statutes, laws made by this body over the years, have done what representative governments have always done -- our predecessors have given more rights and benefits to one group or individual persons based on some rationale -- either economic, moral, or for common civil order.

"Our state and our country have always valued the family and sought to protect and maintain traditional marriage, children and the family unit. The special rights and benefits granted to families, children and marriage are not civil rights. These are special rights that protect the foundation of our homes, our schools, our communities, our state and our nation.

"May we all be clear as to what values and institutions we hold dear and why we protect them. Hawaii's only hope is strong families ... Hawaii's only hope is strong families.

"Thank you, Mr. President."

**ADJOURNMENT**

At 12:09 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, February 6, 1997.

FIFTEENTH DAY

Thursday, February 6, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:09 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Captain Lani Chamness, Salvation Army Leeward Corps, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fourteenth Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 10 and 11) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 10, transmitting H.C.R. No. 23, which was adopted by the House of Representatives on February 5, 1997, was placed on file.

By unanimous consent, H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR AND THE MAYORS OF THE SEVERAL COUNTIES TO DESIGNATE FEBRUARY 9 TO 15, 1997 AS 'NATIONAL CHILD PASSENGER SAFETY AWARENESS WEEK'," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 11, transmitting H.B. No. 240, H.D. 1, which passed Third Reading in the House of Representatives on February 5, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 240, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 19 to 22) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY."

Offered by: Senators Fukunaga, Levin, Chun Oakland, Baker, Fernandes Salling, Matsunaga, Solomon, Chumbley, McCartney.

No. 20 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER FORTY-EIGHT-HOUR MATERNITY COVERAGE IN ORDER TO ELIMINATE THE PROBLEMS OF 'DRIVE-THROUGH DELIVERIES'."

Offered by: Senators Baker, Fukunaga, Fernandes Salling, Levin, Matsunaga, Solomon, Chumbley, Chun Oakland, McCartney.

No. 21 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO

URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM."

Offered by: Senator Solomon.

No. 22 "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO PROVIDE FINANCIAL SUPPORT TO THE NATIVE HAWAIIAN HEALTH SYSTEMS."

Offered by: Senator Solomon.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 5 and 6) were read by the Clerk and were deferred:

Senate Resolution

No. 5 "SENATE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY."

Offered by: Senators Chun Oakland, Solomon, Baker, Levin, Chumbley, Fukunaga, Fernandes Salling, Matsunaga, McCartney.

No. 6 "SENATE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER FORTY-EIGHT-HOUR MATERNITY COVERAGE IN ORDER TO ELIMINATE THE PROBLEMS OF 'DRIVE-THROUGH DELIVERIES'."

Offered by: Senators Chun Oakland, Baker, Fukunaga, Fernandes Salling, Levin, Matsunaga, Solomon, Chumbley, McCartney.

STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 24) recommending that S.B. No. 1545 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1545, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 25) recommending that S.B. No. 1547, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 26) recommending that S.B. No. 1548 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1548, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 27) recommending that S.B. No. 1550 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1550, 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 Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 28) recommending that S.B. No. 168, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESERVATION OF ANTIQUITIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 29) recommending that S.B. No. 1331 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1331, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 30) recommending that S.B. No. 1333 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1333, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 31) recommending that S.B. No. 1334, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 32) recommending that S.B. No. 1335 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM," passed Second

Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 33) recommending that S.B. No. 1329 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1329, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX DEDUCTION FOR TUITION EXPENSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 34) recommending that S.B. No. 1332, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1332, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 35) recommending that S.B. No. 1336 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 1339 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1339, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 37) recommending that S.B. No. 1953 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1953, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:12 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:20 o'clock a.m.

## ORDER OF THE DAY

### THIRD READING

H.B. No. 117, S.D. 1:

Senator Chumbley moved that H.B. No. 117, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the measure as follows:



"Mr. President, I rise to speak in favor of H.B. No. 117, S.D. 1.

"This bill proposes a constitutional amendment which would limit marriage to couples of the opposite sex.

"In what is a significant departure from the position of this Committee and of the Senate last year, we agree that it is appropriate and necessary that this issue be put to the voters of Hawaii in the form of a constitutional amendment. However, while we share the House's desire to definitively resolve this issue, we cannot recommend passage of the H.B. No. 117 as received because it is constitutionally suspect.

"The United States Supreme Court, in the 'Romer' case declared a Colorado state constitutional amendment unconstitutional under the United States Constitution because: (1) it was based upon 'animus' against a minority; and (2) it deprived the minority from access to government. We fear that this bill as received from the House similarly violates the constitution. Our proposal is therefore based in large part upon avoiding the flaws of the Colorado amendment. We believe that it does so.

"First, there is no hint of 'animus'. It can be fairly said that some of the proposals on this issue are aimed solely at abolishing rights won in court by a minority. We firmly believe that the motivation for this is simply to preserve traditional marriage. But if the net effect of our efforts is the surgical removal of rights from a very unpopular minority group, we fear that a court could conclude that the Legislature's motive was more a result of fear and hatred than any legitimate governmental interest.

"The proposal before the Senate cannot under any circumstances reasonably be found to be based on fear, hatred or bigotry. Rather than excise civil rights, it attempts to ensure them. And rather than limit interpretation because of fear, it expresses the positive power and aspirations of the tolerant people of our state.

"Second, this bill does not in any way deny access to democratic recourse. Some of the other proposals considered by your Committee would have prohibited the courts from ruling on constitutional issues. While we are certain that the measures were not intended to limit the rights of any of our citizens, we do not believe that such an approach should be embodied in our constitution.

"Our government is one of three co-equal branches. The duty of the legislative branch is to adopt laws, the executive branch administers the law, and the judicial branch interprets the law. This structure is adopted in our State Constitution in Article III, Section 1; Article V, Section 1; and Article VI, Section 1. This balance of power has served the people of our state and nation well. Through it the rights of all our citizens have repeatedly been defined and preserved. It is a fundamental element of our democracy that this delicate, if somewhat inefficient, balance will ultimately reflect the best of our people.

"Other proposals expressly seeks to shatter this symmetry. They would, by their terms, dictate judicial and administrative interpretations of the constitution while leaving the legislature free to do as it pleases. Some of our citizens would thus be effectively deprived of access to the courts on this issue.

"We believe that this result may be unconstitutional, and lawyers can reasonably disagree on this issue, Mr. President -- 'experts' can be found to argue for either side. But whether technically unconstitutional or not, we know that this result is wrong. It is simply wrong to deprive any of our citizens his or her day in court. This is especially so when the deprivation might be based upon his or her minority status -- or because we fear that our commitment to democracy may permit him or her

to prevail. The proposal before you today, colleagues, does not direct judicial or administrative outcomes. Rather it is a positive statement of the power and values of our people. Access to all the elements of our Government are left intact. No rights are sacrificed in order for us to do what we think is right.

"Our purpose in supporting this bill is to preserve Hawaii's commitment to traditional marriage without violating our constitution. We believe that the bill accomplishes the objective and I urge your support.

"I might add, colleagues, this is not going to be your final vote on this issue today. It is clear that this will go to Conference Committee and, yes, you will have another opportunity to vote on this issue again. I urge you, even if you don't agree fully with the bill, to vote 'aye with reservations' and express those reservations so that the people of this state know that this body, the Senate, is serious in resolving this issue.

"Thank you, Mr. President."

Senator Solomon then rose to speak against the bill and said:

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

"First, Mr. President, I would like to commend the Judiciary Committee. I know that this is a very controversial issue and I would like to commend them for coming up with what they perceive as a compromise position. However, I beg to differ on the matter.

"Mr. President, I would change the title of this bill. It should read, 'Relating to the Destruction of Marriage in Hawaii.' This bill is misguided, hasty and ill-conceived. Clearly it has the potential to destroy the institution of marriage in Hawaii because, Mr. President, it is impossible prove a negative. Example -- that our marriage law does not deprive any person of civil rights on the basis of sex. All persons married in Hawaii are subject to the loss of their status as husband and wife at the whim of the Judiciary. If our courts were to decide that any statute, regulation or administrative action concerning marriage deprived any person of civil rights, based on sex, our marriage law would be rendered ineffective and all marriages in Hawaii now, formed or to be formed, will be contingent on being held invalid by judicial action. Obviously, Mr. President, such a condition would be intolerable to our citizens, married or not.

"Thank you."

Senator Slom also rose to speak against the measure and stated:

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

"I think that H.B. No. 117 perpetuates a fraud on the people of Hawaii, Mr. President. It purports to preserve traditional marriage but by design its language does exactly the opposite. The bill says that it will retain the state's ability to regulate marriage but 'only if the laws of the state insure that the application of this reservation does not deprive any person of civil rights on the basis of sex.' This proviso effectively negates the right to regulate and allows the Supreme Court and not the people to decide the basis of traditional marriage in Hawaii.

"And what are these civil rights? The bill is silent as to what rights and if all the benefits of marriage must be conferred. If the language of this bill is enacted, then the presumption is that all rights and all costs must be conferred.

"Our learned colleague from the Valley Isle said that there is no hint of 'animus' in this bill. I beg to differ. The 'animus' is to those who support traditional marriage. My learned

colleague said that the bill seeks to avoid flaws and yet by its very nature this bill has created additional flaws. My learned colleague talks about the balance of power between the three branches of government and yet, Mr. President, as our Chief Justice stood where you're standing just a week or so ago, he let all of us know that, actually, the trump card is held by those of us here in the Legislature.

"Mr. President, do you hear them? Do you hear the voices of our disenfranchised taxpayers and voters? They have said clearly and constantly that they want us to represent them and to listen to them. And they have asked simply for us to allow them the right to make the decision on this issue themselves since the impact affects all of them and all of Hawaii. A simple request -- let the people decide. Respect their desire to express their intent.

"This Legislature, which caused all the current problems because of its inability and unwillingness to act properly for years, now attempts to subvert rather than support the wishes of the people.

"This measure does not allow our citizens to voice their opinion as was the original intent. Instead, it seeks to further confuse and to guarantee continued litigation and success by those who would remove every final vestige of our most basic and fundamental of societal values. The issue is marriage between one man and one woman -- basic, simple imperative.

"The people of Hawaii have been most tolerant and most patient for many, many years. They were urged to trust their elected officials to do the right thing, but we didn't do the right thing. Instead, we have made Hawaii a social and sexual experimental laboratory, while stripping away the basic beliefs, the traditions, and the values of the people who have sent us here to honorably represent them.

"If we want to get this state out of the marriage business altogether and leave it to the individual religious groups, where it actually belongs, then fine, let's do so. Otherwise, let's listen to the will of the people and trust them, not the lawyers and the courts. Trust the people to know what is the right thing to do. After all, we do, in fact, trust the people to elect us, to pay the taxes, and to support the government and to obey the laws that we pass in this body.

"Mr. President, I hear the voices and they shout clearly that this bill is not what they want. They demand and are entitled to the right to decide this issue for themselves. Let's not fool or defraud them any longer. Let's defeat this bill and give the public an honest choice.

"Thank you, Mr. President."

Senator Iwase, rising in opposition to the measure, then stated:

"Mr. President, I rise to speak in opposition to the amendments made by the Senate Judiciary Committee.

"Mr. President, before delving into my reasons for opposing the Senate Draft, I do want to briefly address the comments made by the co-chair of the Judiciary Committee regarding the 'Romer' case. The 'Romer' case, Mr. President, is totally inapplicable to what is happening in Hawaii. It's like comparing the proverbial 'apples and oranges.' The 'Romer' case nuked the rights of individuals. That law denied gays and lesbians access to all levels of government, all levels of state government, every branch in the state government. You could not seek redress of grievance from the executive branch, from the legislative branch, or from the courts. Additionally, the Colorado Legislature's law denied access to all political subdivisions. That is not the case here.

"This law, this amendment proposed by the House, simply restores the status quo. It does not deny, it defines marriage --

merely defines marriage, merely clarifies the definition. It is not unusual. It is not something we pull out from the universe. It is something we do in rules in defining what we mean. We do it in ordinances. We do it in statutes, and we do it in our constitution. That is all the House bill did. It is not a 'Romer' case. 'Romer' does not apply, by facts or by law, to H.B. No. 117.

"Indeed, Mr. President, federal courts have upheld laws defining marriage as between man and woman; have held that such laws do not violate the United States Constitution. That fact must be made today for the record.

"With respect to the draft, Mr. President, I have the following reasons for opposing it. First, Mr. President, to paraphrase Yogi Berra, 'This is deja vu all over again.' Last year with the single chairmanship system in place, the Senate refused to give the voters a clear, clean constitutional amendment to vote on. For the voters, it was a take it or leave it proposition -- a lose-lose situation. This year, with a dual chairmanship in place, the Senate draft again refuses to give the voters a clear, clean constitutional amendment. It is again lose-lose. The Senate again turns its back to the people. The Senate again is intransigent; the Senate is again the obstacle.

"Secondly, despite all the lofty talk of hearing the voice of the people in the 1996 elections, the Senate draft speaks to the contrary. It says to the voters, 'We have eyes, but we do not see; we have ears, but we do not hear.' This past Tuesday, there was a lively debate here on the floor regarding procedures followed by the Judiciary Committee in passing House Bills 117 and 118. One of the chairs of the Judiciary Committee, in defending the Committee's vote is quoted in the newspaper as saying, 'If you don't like what happened, go change the Rules, but it is simply wrong, wrong, wrong to complain when you don't get what you want.' Mr. President, no branch of this government has the right to deny the people their ownership of their constitution.

"With respect to the Supreme Court ruling in Baehr vs. Lewin, the people of Hawaii have been consistent and persistent in their efforts to get a constitutional amendment, to change the rule. And it is wrong, wrong, wrong for this body to deny the people their right to vote on their constitution. It is wrong to deny the people of Hawaii the right to define what their constitution is, what it means. And it is wrong for this body to submit to the voters an amendment which leaves the people with this choice: If you are among the vast majority who support traditional marriage, vote 'yes' and you lose; vote 'no' and you lose.

"Finally, Mr. President, while it may seem ironic, I am compelled to raise the constitutional issues. I believe the Senate draft raises serious constitutional questions. First, the Baehr court ruled on Article I, Section 5 of the State Constitution. The Senate draft, however, leaves this article untouched and unamended, and instead amends Article IX of the Constitution, relating to public health. Whether such an indirect focus on the erroneous ruling in Baehr is sufficient to overrule Baehr is in question.

"Second and more importantly, Mr. President, under the Senate draft, the state's ability to reserve marriage to couples of the opposite sex is not effective upon ratification of the amendment by the voters. Instead, it is effective if, and only if, unspecified present and future laws of this state, quote (quoting from the Senate draft) 'insure that the application of this reservation does not deprive any person of civil rights on the basis of sex' end quote. In short, the effectiveness of this amendment is contingent upon some court in some yet to be initiated lawsuit, ruling on some yet to be specified laws, does not deprive some yet to be named individual of some yet to be defined civil rights.

"Mr. President, pursuant to Article XVII of the Hawaii Constitution, only one condition must be met in order for the

constitutional amendment to be effective -- the ratification of the amendment by the voters. Nothing more is required -- nothing more. We are not empowered to burden this simple constitutional ratification process by imposing additional conditions which must be met before the amendment is effective. Indeed, given the language of the Senate draft, one can legitimately question whether this amendment will ever have an effective date. And again, in this regard the voters lose

"Mr. President, the previous speaker alluded to the people -- the 1996 elections when the voters spoke. It was a message filled with anger and frustration -- anger at legislative logjams on key issues; frustration because of their belief that legislators do not listen and do not respond. The same-sex marriage issue was a flash point for this anger and frustration. Today we have before us a Senate draft which is no different in form and substance than what we had last year. To those who would argue that the Senate draft represents progress, I would respectfully submit to you that it would be true, only if progress is defined as one step forward and one step backwards. Mr. President, motion alone does not constitute progress.

"'Deja vu all over again.' Last year I spoke in vain in support of a clean constitutional amendment. This year I make the same plea because this draft does not constitute movement towards the House position of 1996 or 1997.

"'Deja vu all over again' -- Yogi Berra's words may well be the caption for the 1998 election.

"We have before us a Senate draft which is legally suspect, which is of questionable merit and which has the great potential to create yet another impasse. And I deeply regret, I deeply regret, despite all of the hopes and talk and speeches we made about hearing the voters, I deeply regret that we have not heard. I deeply regret that I am unable to support Senate Draft 1 and I urge my colleagues to vote 'no.'

"Thank you, Mr. President."

Senator Sakamoto rose and stated:

"Mr. President, honorable colleagues in the Senate, the Legislature has been wrestling with this same-sex marriage issue for the past four years, ...

The Chair interjected:

"Senator, are you speaking in opposition?"

Senator Sakamoto replied:

"I am speaking in opposition, Mr. President.

"I'm happy that some in this distinguished body have shifted their position to come to share the House of Representatives' view that it is time to put the same-sex marriage issue before the voters. The people of Hawaii deserve a clean solution. They deserve a clear choice.

"Mr. President, and honorable colleagues in the Senate, I have strong reservations about the language in the measure before us. As it now stands, it gives an unclear choice. It will not make it easy for the voters to decide the issue. It will make it harder for the people to discuss the issue of same-sex marriage in a clear and straightforward manner. I fear the lack of a clear choice will impair the democratic process.

"Mr. President, and honorable colleagues, many of us have expressed our strong support for traditional marriage and the family. We acknowledge that the family is the foundation of our society, that Hawaii's future lies in strong families and our best hope is in strong families. Let our legislation clearly reflect that commitment.

"Mr. President, and honorable colleagues, let us give the people of Hawaii a clear choice. Let us give the people of Hawaii a clear choice in the proposed constitutional amendment. I strongly believe the voters want and deserve a clear choice on this matter. Therefore, I will vote 'no' on this measure.

"Thank you, Mr. President."

Senator Bunda, also rising to speak against the bill, then said:

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

"Mr. President, I want to make the record clear to this body that I strongly favor a constitutional amendment, but not this one -- not this one as written in H.B. No. 117, S.D. 1.

"I firmly believe that any constitutional amendment, if compromised like this proposal, will diminish or have no effect on the case that is before our courts. If this measure is passed and further compromised with the House in conference, I believe we should simply defer to the courts because that's the kind of effect the contents of this bill would have on this whole process -- zero, Mr. President. We may as well call a spade a spade and let same-sex marriage become law as legislated by the courts. It is that simple.

"Mr. President, at this point, who's got the trump card? The Legislature or the Judiciary. Of course, my preference would be to accept the House's language of a constitutional amendment because it is simple and clear that marriage is between a man and a woman. I have strong feelings that same gender marriage is not a civil right. It is to me a choice of sexual behavior that is contrary to the laws of nature. I'm just as tired as you are on this issue and yes, let us all face the fact facing that's suggested by the committee chairs of Judiciary.

"In spite of hundreds of pages of testimony, I have not heard enough said in the legal defense of traditional marriage. To date, Mr. President, this issue is totally one-sided. The Judiciary has asserted control of the issue. It has failed its citizens. Over the past six years, virtually all, virtually all legal reviews and arguments fail to defend traditional marriage. So, no wonder the only defense, really, has been on religious or scientific way.

"The state's argument against same-sex marriage is weak. There is no substantial defense on the historical and prevailing legal policy of all states allowing only heterosexual couples to marry. And everyone knew that we were going to lose, or the AG was going to lose. This whole court case was a 'shibai.' It was one-sided with no thorough legal defense from the Judiciary Committee throughout the United States defending traditional marriage. So the answer is to use the only tool left in the process, and that is sending a strong message to the courts through a constitutional amendment with no strings attached.

"Simple and clear is what the people want, Mr. President. The constitution is an expression of the people's will, not the will of the courts. The courts' duty is to interpret the law, not create it. The citizens of our state are the ultimate constitutional authority. The bottom line, Mr. President, is that we need to let the people decide.

"For these reasons, Mr. President, I will be voting, 'no.' This proposal is not a choice that is acceptable to me or the citizens of this state. A majority of the people of Hawaii want a constitutional amendment that is not compromised. We are not paying attention to the people who are electing us.

"Thank you, Mr. President."

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

"Mr. President, I rise in support of H.B. No. 117, S.D. 1.

"I'd like to commend the Judiciary co-chairs and the members of the committee for dealing with this very emotional issue in a manner which I think is both reasonable and responsible. On an issue where the rhetoric often tends to be vitriolic and emotions can get very inflamed, I think our committee, this year, has acted in a manner that moves the issue forward, gave all parties an opportunity to state their case and then came up with a solution that will resolve the matter in a manner that, in fact, gives us a win-win situation.

"Mr. President, under the guise of bowing to the people's will, we cannot trample on the rights and concerns of citizens who just happen to be different than the majority. Protecting a minority from tyranny by the majority is something that's been the hallmark of our country from its very inception and is certainly something that we all hope remains embodied in this the Aloha State.

"Mr. President, I think that this bill and the one that we will consider next, taken together, give us the best possible hope for resolving a very, very difficult and contentious issue. I'm proud to vote in support of this measure."

Senator Matsunaga rose in support of the measure and stated:

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

"Mr. President, the opposition to this bill today appears to focus on three questions which I would like to address.

1. Will the Senate draft finally and permanently preserve traditional marriage?

"Yes. Even lawyers, constitutional experts on the other side concede that empowering the state to regulate marriage in Article IX of our Constitution will have the effect of constitutionally affirming opposite sex marriage limitations.

"Further, our 'provided that' language, which has been so warmly received here today, that follows the restriction on marriage is absolutely necessary -- that language is absolutely necessary -- to satisfy the Supreme Court's concerns raised in the Baehr decision. And furthermore, what in the heck is wrong with making sure that people are not deprived of their civil rights on the basis of sex? The following language is taken directly from the Baehr decision:

'The applicant couples correctly contend that the Department of Health's refusal to allow them to marry on the basis that they are members of the same sex deprives them of access to a multiplicity of rights and benefits that are contingent upon that status.

'For present purposes, it is not disputed that the applicant couples would be entitled to all of these marital rights and benefits, but for the fact that they are denied access to the state-conferred legal status of marriage.'

2. Will it prevent further lawsuits?

"Probably not, but I challenge any lawmaker to develop a suit-proof law. Attorney creativity, as we attorneys know, knows no bounds and for every expert who says that his or her formulation will prevent further suits, there will be two who will invent a cause of action. This bill, as we received it from the House, certainly would not have prevented further lawsuits. I wish it were that simple. The only way to prevent any further suits would be to absolutely foreclose access to the courts. The original House version of this bill proposed to do just that -- limit the jurisdiction of the courts to interpret our constitution.

"To do so violates a very fundamental principle of our democracy, and that is -- the separation of powers. This is a fundamental principle in both our federal and state

constitutions, as well as a keystone to the success of our democratic society. Although some may believe it more politically convenient to attack this principle, we believe it is wrong and unconstitutional for us to strip our State Supreme Court of its jurisdiction to interpret the laws and the constitution.

"A brief review of some typical failed federal attempts to limit Supreme Court jurisdiction clearly indicates why the separation of powers should be jealously protected:

- (1) In 1958 there was an attempt to insulate from federal judicial review Senator Joe McCarthy's handling of the Un-American Activities Committee.
- (2) In 1964 there was an attempt to strip the Supreme Court of jurisdiction to review state reapportionment (one person one vote).
- (3) In 1968 there was an attempt to prohibit the courts from ruling on the constitutionality of voluntary confessions (Miranda decision).
- (4) In 1968 there was an attempt to strip the federal courts of jurisdiction regarding state obscenity prosecutions.

"All of these aforementioned attempts failed miserably. As these examples demonstrate, attempts at heavy-handed responses to unpopular judicial decisions are usually misguided and thus, we believe that we are better served by defending this fundamental structure of three co-equal branches of government.

3. Isn't the civil rights proviso in our Senate draft just another way to legalize same-sex marriage or domestic partnerships?

"No. The intention of the proviso is to ensure the extension of all reasonable and appropriate rights and benefits to couples other than those permitted to marry.

"House bill 118 demonstrates how this would work. In this companion measure, we have recognized the government's interest in preserving traditional marriage by excluding those rights and benefits relating to marriage, divorce, parentage, adoption, premarital agreements, mutual support, community property, dower and curtesy, and evidentiary privileges.

"And because the state has a legitimate and substantial interest in this exclusion, it will stand for as long as this Legislature so chooses.

"Thank you, Mr. President."

Senator McCartney added his support of the measure as follows:

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

"First of all, Mr. President, I would like to commend all the members for this debate today. I think it's a good day for the Senate that we can hold our strongly held beliefs, discuss them on the floor of the Senate, and take a vote before the people of Hawaii who elected us into office. I think it's a good day. I also think it's a positive day. Who would have thought during the election of 1996 that this year on day 15 of the legislative session the Senate would be passing a bill, a House bill, and go into conference on this bill on day 15. I think that's positive, Mr. President.

"Secondly, for this body, I think it's positive that last year there was not even a committee position on this bill. It was a group of us who were conferees that took a position on it and it failed in conference. But we now have a committee position and today we are taking a position as the Senate. I think that's positive and a step forward. So I would like to commend

everybody for working on this bill. This is not the last series of debates that will take place on this bill. We need to work with the House, to dialogue with them, and to come back with a conference draft that we can live with. I think that is very important.

"For me, Mr. President, on this bill, it's been a journey. I've learned many things on this bill. My original position on this bill was to simply support the constitutional amendment. In examining my position and searching my soul and hearing all the testimony and the discussions, it was the easiest thing for me to do -- to go along, to get along because that's what the will of my community wanted. But the more I heard the testimony, the more I listened to them, the more I knew that wasn't my position; that I could not support that for the reasons that they were saying the bill needed to be supported

"Mr. President, I believe that our constitution is a precious document. It's a document that has stood the history of time and has produced the greatest country in the history of the world, and that document means a lot. And the equal protection clause is the heart and soul of that document which gives everybody the ability to be treated equally and fairly even though you're a minority. And I think that it is very important for us to realize that the tyranny of the minority needs to be protected from the tyranny of the majority. And that's an important principle that we must remember.

"And secondly, I also believe that Hawaii is a special place. It's a place where all of us are minorities. All of us here, our ancestors and whoever we are, we are minorities. And I think Hawaii has a special gift where we tolerate differences. We respect others and we have a balance and we live in aloha spirit. I also believe, on a personal level, that I have a hard enough time living my life according to my code, my integrity and what's right, let alone judge others. And in my opinion, Mr. President, what we need to do in Hawaii is to live our lives with our own personal integrity and allow others to do the same as long as it doesn't hurt anybody. And I don't think that this hurts anybody.

"This bill has a balance. It attempts to address the need to preserve traditional marriage because the State of Hawaii is uncomfortable with it, but it also recognizes the delicate balance of protecting people's civil rights and equal rights. And today, Mr. President, I think it's so important to say that, you know, I support the courts' decision; I think that their interpretation of the constitution is right. And I also believe that what's at the fundamental issue of this bill is how you view others with differences, and if you believe that those differences affect you, then you have a hard time. And I think, Mr. President, what we have to do is go beyond that and say that this is the State of Hawaii where we tolerate our differences.

"So, Mr. President, I'm proud to support this measure even though it's unpopular, even though it's misunderstood, but I believe it's the right thing to do.

"Thank you."

Senator Anderson then rose in opposition and said:

"Mr. President, I'm opposed to this piece of legislation and I think that the Senator from Maui, Senator Baker, is right. It's an emotional issue for many. I'm going to try to make sure that it's not emotional for myself.

"I'd like to let our Senator from Kaneohe remember that the constitution was ratified by the people. It's a people's document. They have asked you this time not to vote for them. They have asked for the right to look at that constitution and vote for themselves again. It is not your responsibility to vote for them this time. You are here because they voted for you and they asked you to vote for them. Now they have asked for that vote back. That's all they've done. And I think that that's fair.

"But I think that what made me stand up today, Mr. President, more than anything, was that some of my staff people told me that if you vote against this, you won't be on the Conference Committee. I would be damned if I would rather not be on Conference Committee after listening to all the attorneys today.

"What they're saying, and I will take this from my chairman when he first stood up, he said he shot this down because 117 from the House was unconstitutional. Yet, it's all right, he said, if it's unconstitutional now and we're going into conference, we can fix that up. We're going to sit there and argue with attorneys on both sides what's constitutionally right, what's wrong, who's going to benefit and who's not. I don't want to sit on that Conference Committee. I don't want to sit there and try to tell them that I believe with just two days of research our attorneys found all kinds of flaws.

"No matter which side of the aisle I sit on, or which side I believe is right or wrong, I think that this document is an insult to both sides. I would rather defer it, sit down, look at it really responsibly, and come up with something that's constitutionally right for both sides. If that's what you want, then come up with something that's going to stand up. I'm not going to vote for anything that's unconstitutional and an attorney tells me, 'Well, we have differences of opinion. When we go to school, that's the way we learn; we can fight for this side or that side.' As a businessman I am told, in other words, it's all right if you lose a million dollars because sometimes I can fight for you and sometimes I can go against you. For that reason, Mr. President, I'm opposed to this type of legislation where everybody sits down and says, you can go ahead and vote for this and it's all right even if it's flawed. And I think that the people of Hawaii have had enough of that.

"Thank you very much, Mr. President."

Senator Iwase rose on a point of inquiry as follows:

"Mr. President, point of inquiry. I'd like to see if the chair of the Judiciary Committee, the Senator from Palolo, would yield to a few questions."

The Chair posed the question to Senator Matsunaga who answered in the affirmative. Senator Iwase then inquired:

"The House bill, Senate draft, references civil rights. Is it your position that the right to marry is a civil right?"

Senator Matsunaga replied: "No."

Senator Iwase continued:

"It is not a civil right? The right to marriage is not a civil right?"

Senator Matsunaga responded:

"Our constitutional scholars have told us and the Senator from Wahiawa also stated on the floor that marriage is not a civil right. The constitutional expert from the University of Hawaii believes that marriage, the actual license itself, is not a civil right and this constitutional amendment as set forth would have the effect, if ratified by the people, of preserving traditional marriage."

Senator Iwase continued his line of questioning as follows:

"If it is not a civil right, then why do we have the proviso clause, which states 'shall be effective only if the laws of this State ensure that the application of this reservation does not deprive any person of civil rights on the basis of sex.' What civil rights are you referring to?"

Senator Matsunaga replied:

"The civil rights that we're referring to are those which are set forth in H.B. No. 118, which we are going to debate shortly."

Senator Iwase then asked:

"If marriage, in your view, is not a civil right, why is there a need to include this proviso in H.B. No. 117 when, in fact, we're dealing with it in a second bill, H.B. No. 118?"

Senator Matsunaga answered:

"It's necessary because of the actual language I earlier quoted from the Baehr opinion. To put it as plainly as possible, H.B. No. 117, as we received it from the House, would only deal with half the issue. As we revised it, it is a holistic approach to deal with both issues raised in the Baehr decision. The first issue obviously is the refusal to grant a marriage license; that license itself. The second issue is the rights and benefits that flow because of that marriage license. Now, H.B. No. 117 does not address the full issue, and that's why we needed to amend it."

Senator Iwase then inquired:

"Senator, if it's not a civil right, the state is free to do anything it wants to do with respect to a marriage license, would it not? What rights would be violated?"

Senator Matsunaga replied:

"I'm sorry, I don't understand your question."

Senator Iwase continued:

"If you limit marriage to a man and a woman, and such a limitation does not violate a civil right because marriage is not a civil right, the state is free to do anything it wants to do in defining marriage, can it not?"

Senator Matsunaga responded:

"So why are you objecting to the language if it's civil rights?"

Senator Iwase interjected:

"Well, why is it included here? Why is it necessary, why is it there?"

Senator Matsunaga replied:

"Just as I earlier stated. Because, it's to protect other rights and benefits."

Senator Iwase continued:

"One other question, is it your position that it is a violation of the principle of separation of power for any body -- legislative, council -- to define the language it is using in its enactment?"

Senator Matsunaga answered:

"It is a violation of the separation of powers for the Legislature to try and tell the courts how to interpret the constitution."

Senator Iwase then asked:

"Can we define what we mean by the words we use. Are we prohibited from doing that?"

Senator Matsunaga responded:

"We are not prohibited from defining the words that we use. But we have a delicate balance between the three branches of government. The Legislature enacts the laws; the Judiciary interprets laws; and the Administration enforces it. And it is wrong for one branch to extend into the others."

Senator Iwase then said:

"Thank you, Mr. President. Just one comment, I am somewhat surprised to learn that it is now the position, I have thought all along that this whole controversy swirled around the belief, the belief that marriage was a civil right and therefore we had to go through all of these obstacles in order to clear certain hurdles which are brought up because of the issue of civil rights. I'm pleased that there is a concession, at least, that marriage is not a civil right. And I believe it now gives us greater freedom to enact a clean constitutional amendment without worrying about *Baehr vs Lewin*. I'm also pleased that we are free to define the words we used in the enactments that we pass."

"Thank you, Mr. President."

Senator Matsunaga then rose and said:

"Mr. President, I rise in rebuttal. I just want to ask a question to the Senator from Mililani."

Senator Iwase having answered in the affirmative, Senator Matsunaga continued:

"Does this now change your position? Are you going to support the bill now?"

Senator Iwase replied:

"Which bill are you referring to?"

Senator Matsunaga responded:

"House Bill 117. Now that we made that concession that marriage is not a civil right, does that mean that you will make a concession that you will ..."

Senator Iwase interjected:

"There are several other objections that I pointed out and, unfortunately, we can discuss this further, but I don't wish to prolong the debate. Thank you very much."

Senator Matsunaga added:

"It didn't hurt to ask."

Senator Metcalf then rose and said:

"Mr. President, I have some brief remarks in support of the measure I would like to insert in the Journal."

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

"Mr. President, I speak in favor of this measure. Dag Hammarskjöld once observed that 'everyone in his own eyes has a good case, and there must be some element in his case that must be regarded as right.'

"It is in this spirit that I support this proposed constitutional amendment.

"It appears clear that in the discussion regarding the extension of marital rights to same-sex couples, that many in our community wish to directly participate in the debate on this matter and have their voices heard. At the same time it is of benefit to give thought to the humanitarian view of life espoused by Albert Schweitzer, a view guided by a respect for

the individual out of which can be deduced a demand for the greatest possible freedom for the individual to live life as he or she sees fit on the one hand and the demands for social justice in one form of equal rights and equal possibilities for all on the other.

"This proposed amendment together with H.B. No. 118, H.D. 1, S.D. 1, will allow for discussion and the expression of the public's voice with respect to the extension of marital rights while promoting social justice in the form of equal rights and possibilities for all lawful members of our community on the other."

At this time, Senator Anderson requested a Roll Call Vote be taken.

Senator Tam rose to support the measure and said:

"Mr. President, I vote in favor of this bill with reservations, and what I'm going to try to do is draw my rationale in a less emotional climate.

"This issue has been around for many years. It has been very, very emotional. I've seen whereby within my community, neighbors fighting each other and they don't talk to each other after a while, and we need to resolve this issue.

"Let me state this. I'm in favor of moving this bill forward because I respect the legislative process. In essence, we have 60 working days. This is only the first part of the legislative process, not even half way through. And I know that through communication we can work on, in terms of proper language, this legislation of an emotional issue.

"We have two issues before us. The first issue is the definition of marriage. When I was in para-legal school within the State of Hawaii, I learned that one of the things we had to do was define the terminology. And on this bill, H.B. No. 117, we don't even define what marriage is though we all speak about traditional marriage or anti-same-sex marriage. Let me make it very clear -- I am not for same-sex marriage. (So newspapers and news media, please print it correctly.) I don't think any of us are basically for same-sex marriage.

"Secondly, in terms of the issue of civil rights, we have a constitution that is very liberal here within the State of Hawaii. And it's more liberal, per se, than the Constitution of the United States, I guess because of our multi-culture heritage and whatever it may be in the State of Hawaii, and we have to make sure that we protect the rights of people. And maybe this is where the next bill comes along to help define, in terms of civil rights and so forth.

"My reservations are based on the following: The wording is not to my desire, as I said earlier, and it leaves an open door for attorneys to file actions in court. And if that's what we want then we pass any type of bill per se. Basically, attorneys can cause a lot of confusion and we need to find the proper language. I think that if we had the time to discuss this more we can find the proper language. And please pardon me for the members who are attorneys, I didn't mean to pick on you but I've seen it in terms of lot of interpretations can be left open, and we need to define definitions and so forth.

"Also, if I may state, the language is ambiguous. The English language, as I was told, and I speak Chinese as my second language, the English language is the most difficult language worldwide. It's a complicated language. You have many terms that mean the same thing or differently, and it's much easier, to be honest with you, if you would try to learn to speak Chinese than English.

"Also, I wish to emphasize that if this bill dies, that ends the discussion this year. Keep in mind that you will have a very emotional community out there. They will blame us whether

you're for or against same-sex marriage. So we need to keep the communication ongoing.

"Thank you."

Senator Solomon rose again in opposition and said:

"Mr. President, I did rise earlier and spoke in opposition, and I am still in opposition. However, in the discussions in this body, Mr. President, and I'm speaking as and on behalf of Native Hawaiians, I find it very distressing when people say that the spirit of aloha and aloha as impugning or insinuating that the Hawaiian's culture was a very tolerant culture, that we didn't have very strong beliefs in certain traditional values.

"The Hawaiian nation was a very strict nation. It had very strict laws. And I don't know of any marriage laws that existed in ancient Hawaii that allowed persons of the same gender to get married. It really distresses me when it is said that Hawaiian Culture is tolerant and I'm hoping that as my colleagues use Hawaiian terminology and phrases, that they do so with due respect to the culture from which that language came from.

"I agree with the previous speaker who stated that he has problems with the Chinese language; i.e., with the actual meaning of the words; a similar situation that often exists with the Hawaiian language. I want to make it clear that the Hawaiian nation was a very, very strong nation that had strong laws and traditional values and defined marriage as that between a man and a woman.

"Thank you, Mr. President."

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

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

"Mr. President, I believe in the strong tradition in this country that marriage is a union of one man and one woman. But I also believe in other strong traditions in this country, including our tradition of respect for equal protection under the law.

"It was not this body, it was not this Legislature, that raised the issue of same-gender marriage. It was the court -- the traditional and appropriate and ultimate protector of human rights and constitutional rights -- that identified for us that equal protections were not being accorded to all our citizens when the Department of Health denied a marriage license to a same-sex couple. Even then, the state was given the opportunity to show some compelling state interest as to why the marriage license should be denied. The state attempted to do that and, as far as I know, it made its best effort to do that through the attorney general's office.

"The Circuit Court was not persuaded, and it should not be forgotten that one of the reasons we are discussing this issue today is that virtually no one thinks that the state can prove its case in the Supreme Court either.

"In other words, we've been forced to confront our prejudices and the discriminations that have been traditional in our society. I think that traditional discrimination is one tradition that is not worthy of being maintained.

"The Senate position to protect traditional marriage while assuring equal protection under the law, I believe, is the right position. Whether the language before us today constitutes the magic words that would meet those two goals, is what we are now debating. And I think that based on the discussion today, we can gather that we have not found the right formulation yet. But I commend the Judiciary Committee for its efforts and I will support this bill enthusiastically because I believe it is a

step toward meeting the twin goals that we are all trying to achieve.

"Thank you."

Senator Anderson rose again in opposition to the measure and said:

"Mr. President, a short rebuttal, if I may, on what our learned colleague said.

"I'm still in opposition and one of the things that bothers me is that I don't believe that the courts were right. Had I been fighting, I would not have been where the children are going to be brought up by an individual. No one says that a child is not going to be brought up better or worse if it's a male or female or two people.

"There's 300 bills and that's what I tried to tell my colleague across the aisle. The people want to vote because it's 300 bills that you and I are responsible for. If we change laws, it should be for everybody. When my learned colleague talks about same-sex marriage, I want to include everybody. If I am going to change 300 laws, which is my responsibility, I want to do it properly. I want to include everybody.

"Just because you have an attorney that you put a black robe on, doesn't make them the most intelligent people and now they understand everything. So I am supposed to say that because this judge made a determination, I have to believe in that? That's not fair. That's your opinion of looking at the way a person is as a judge. There are many good judges. I'm not disputing that he is looking at what he was given, but I didn't even think that we fought a good case, and I'm not an attorney!

"For that reason, I'd vote against this bill and would hope that all of my colleagues do. Thank you very much."

The motion was then put by the Chair and carried, H.B. No. 117, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO MARRIAGE," having been read throughout, and Roll Call vote having been requested, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tanaka).

H.B. No. 118, H.D. 1, S.D. 1:

Senator Chumbley moved that H.B. No. 118, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the measure and said:

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

"Apart from the constitution itself, I believe that America's commitment to fairness and equality is best captured in the words of Dr. Martin Luther King:

'I have a dream,' he said, 'that someday my children will be judged not by the color of their skin but rather by the content of their character.'

"And it is a daily challenge that we Legislators make real this dream -- to ensure that distinctions imposed by the law are based on genuine and substantial governmental interests and not based on fear, ignorance, or unreasoned prejudice.

"The issue addressed by H.B. No. 118 is not one which easily fits into this formula. On the one hand, we are compelled to preserve and protect one of our peoples' most cherished social institutions -- that of traditional marriage. And with this duty arises other substantial governmental interests -- these

include respect for the authority of the federal government and respect for the autonomy of our sister states.

"On the other hand, we must ensure that we do not punish people for exercising their most fundamental of all human, rather than governmental, rights -- their right to choose and support their life partner.

"Our governmental structure extends hundreds of benefits to married couples because we believe that our society and our state are benefitted by relationships based on mutual care and the pooling of resources. Our examination of this issue convinces us that there are basically three categories of marital benefits.

"First, there are those benefits and burdens which have evolved from the traditional understanding of marriage. These include those found in our laws relating to marriage, divorce and child custody, parentage and adoption.

"Second, there are those laws that acknowledge the practical benefits and burdens of shared lives. Marital partners are thus legally permitted to share in what each of us know to be the critical decisions of life: health care, inheritance, home ownership, hospitalization and care, insurance, retirement benefits, and the disposition and treatment of a loved one after he or she has passed away.

"Third and finally, we have taken pains to ensure that families are not punished for pooling resources. Our tax code thus extends special treatment to avoid as much as possible a marital penalty.

"The issue we vote upon today is simply this: Which of these benefits will we keep from some of our citizens because our society at large is not prepared to acknowledge their choice of partners?

"In framing an answer to this question, we looked to guidance from the House of Representatives in its version of this bill and to our colleagues through S.B. No. 98, a measure co-introduced by ten of our Senators. These bills appear to acknowledge that there is simply no rational basis for withholding certain benefits from non-traditional couples. The Committee's bill incorporates the substance and apparent intent of these measures.

"In essence, this bill incorporates the original House bill's 'Reciprocal Beneficiary' model and language, supplements it with the rights identified by our colleagues in S.B. No. 98, and further includes those benefits which necessarily follow from those already identified. These ultimately include virtually all of the rights and benefits identified in the second and third categories which I identified -- reciprocal beneficiaries are permitted to share in what each of us know will be the critical decisions of joined lives, and detrimental tax consequences of resource pooling are avoided.

"What is not included, what we have specifically excluded, are those rights and benefits associated with traditional marriage. Our laws relating to marriage, divorce, and children are not, I repeat, are not included in the bill before us, because they are based exclusively upon our traditional understanding of that social institution. We are in agreement that Hawaii's people are not prepared to redefine traditional marriage. And it is in defense of that interest that these rights are not included in this bill."

"Thank you, Mr. President."

Senator Iwase rose in opposition to the measure as follows:

"Mr. President, I rise to speak in opposition to H.B. No. 118, H.D. 1, S.D. 1.



"Mr. President, I think a couple of things have to be made clear on the floor for the record. This whole idea of packaging of bills was necessitated because of our efforts to address Baehr vs. Lewin, the decision of the court and, until today, a belief that marriage was a civil right. And so you have to create these bodies of law in order to address it.

"The committee report references the same-sex marriage issue and my colleague from Palolo mentioned a bill, S.B. No. 98, which was submitted by ten members of this body, myself included. We submitted that bill as a package in order to bring closure to the Baehr case, but it is important to remember what we did.

"There were three bills. The first part, the first bill is a clean constitutional amendment preserving the right of the state to define marriage as between a man and a woman. It doesn't prohibit the state from defining marriage otherwise, but it does allow the state to define marriages between a man and a woman.

"Second, was an economic benefits package. The purpose of that bill was to deal with the issues of what kinds of civil rights may be violated because of the allegation that marriage was a civil right. If that is not true, then perhaps that bill is no longer needed.

"The third part of the package was a bill on hate crimes to address crimes committed against persons and property because of hate based on race, gender, sexual orientation, national origin, religion and ancestry. That bill is not before us. The economic benefits bill is somewhat before us. The constitutional amendment we proposed is not before us.

"So what we have here now is an attempt to put things together. But, Mr. President, without trying to be facetious, it is the old saying that a camel is a horse designed by committee. I think what we have before us is a camel and I can't support it today because we do not have the total package and also because I am now under the assumption that we are proceeding under the belief, as a body, that marriage is not a civil rights. So long as that is true, benefits provided by the government to support that institution, and all the benefits that are conferred to support that institution, do not violate anyone's civil rights.

"Thank you, Mr. President."

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

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

"This bill transforms last year's domestic partners into something called reciprocal beneficiaries. But the questions that are left unanswered and the problems and the concerns remain the same. A few basic questions point out the difficulties.

"First, in this bill there are no estimates of just how many of these reciprocal beneficiaries, or let's call them RBs, would be created in Hawaii by this legislation. We do know, though, that the number would be critical, particularly if we examined past state adventures like the QUEST program. And just who could be an RB? There don't seem to be any limiting factors and, as a matter of fact, the legislation talks about individuals who are legally prohibited from being married. That raises a whole new concern. What about fraud for those people who try to claim benefits? The bill is silent in this area.

"Don't make any mistake -- this bill is definitely about benefits and money, not commitment. It has major long-reaching economic and tax implications. What would be the total estimated economic impact to the state, both the public and the private sector? The bill is silent. No one has discussed this matter. And can the committee or the President explain why this bill received no public hearing in the Ways and Means Committee, even though the tax implications and the economic

and revenue implications are very important and yet totally masked?

"With the economy already in a downturn here in Hawaii, the only state in which this poor condition exists, why would the authors introduce legislation to impose even more mandates on business, especially small business who constitute 98 percent of the total businesses in this state? And, Mr. President, we know that there are alternatives already. There are voluntary alternatives and voluntary treatment of individuals for benefits as evidenced nationally by such well-known and large corporations as Apple Computers, Ben and Jerry, Disney, IBM and others who voluntarily feel that they can afford to extend these benefits and to measure them. If the concept is so good, it should work voluntarily without the force that is required in this present bill.

"There are constitutional questions that are raised in this bill. There are unanswered questions, for example, having to do with residency and the definition thereof.

"But, finally, putting the ambiguity in the question of benefits aside, our real concern should be the impact of this bill on the children. My knowledgeable colleague from Palolo said that the children were specifically excluded from this bill and that they did that by design. But, Mr. President, many legal scenarios can be constructed, economic and judicial, that affect the children even though there is no mention of them. Are we going to say that these RBs cannot have children or cannot have RB rights to the children? The bill is entirely silent and I find that very curious. If we are truly concerned about the future of our keiki and our families, we should be solving existing problems, not creating new ones with benefit-absorbing RBs.

"We need to lead in this body. I should be standing here discussing the merits of much needed economic incentives and reforms so desperately needed in this community to insure job creation and more take-home pay, and an improved business climate, which is now ranked number 50 of 50 states; and also to insure the framework to help family values that we say we believe in. Yet we are continuing to waste time, divert focus and fool the public rather than listening to them. Mr. President, they don't want RBs, they want more take-home pay.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 118, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES," having been read throughout, and Roll Call vote having been requested, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Aki, Anderson, Bunda, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tanaka).

#### ADJOURNMENT

At 12:33 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 7, 1997.

## SIXTEENTH DAY

Friday, February 7, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:33 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Brother Franklin Pao, SM, The Center Marianist Community, after which the Roll was called showing all Senators present with the exception of Senators Chun Oakland, Fukunaga, McCartney, Solomon and Tam who were excused.

The President announced that he had read and approved the Journal of the Fifteenth Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 143 to 163) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 143, dated January 24, 1997, transmitting a report prepared by the University of Hawaii pursuant to H.C.R. No. 124 (1995), on the University's progress in expanding teacher training opportunities to other communities in the state, was placed on file.

Gov. Msg. No. 144, submitting for consideration and confirmation to the Civil Rights Commission, the nomination of CLAUDIO R. SUYAT, term to expire June 30, 1999, was referred to the Committee on Judiciary.

Gov. Msg. No. 145, submitting for consideration and confirmation to the Civil Service Commission, the nomination of BOB T. KITA, term to expire June 30, 1999, was referred to the Committee on Human Resources.

Gov. Msg. No. 146, submitting for consideration and confirmation to the Board of Directors, Hawaii Health Systems Corporation, the nominations of: GARY K. KAJIWARA and BLAKE E. WATERHOUSE, M.D., terms to expire on June 30, 1998; ROGER DRUE, SISTER BEATRICE TOM and ARTHUR A. USHIJIMA, terms to expire June 30, 1999; and GRANT Y.M. CHUN, WILLIAM F. MIELCKE, CAROLYN A. NII, AKIRA OMONAKA and DIANE J. PLOTTS, terms to expire June 30, 2000, was referred to the Committee on Health and Environment.

Gov. Msg. No. 147, submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of STEVEN J. NISHIMURA, terms to expire June 30, 1997 and June 30, 2001, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 148, submitting for consideration and confirmation to the Board of Directors of the Hawaii Hurricane Relief Fund, the nomination of LORNA A.N. ROSA, term to expire June 30, 1999, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 149, submitting for consideration and confirmation to the Hawaii Labor Relations Board, the nomination of CHESTER C. KUNITAKE, term to expire June 30, 1999, was referred to the Committee on Human Resources.

Gov. Msg. No. 150, submitting for consideration and confirmation as Chairperson, Hawaii Paroling Authority, the nomination of ALFRED K. BEAVER, SR., term to expire June 30, 1997, was referred to the Committee on Judiciary.

Gov. Msg. No. 151, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nomination of ALTON H.

MIYAMOTO, term to expire June 30, 1998, was referred to the Committee on Economic Development.

Gov. Msg. No. 152, submitting for consideration and confirmation to the Board of Directors, Housing Finance and Development Corporation, the nomination of BENJAMIN SAGUIBO, term to expire June 30, 2000, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 153, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nomination of RONALD A. DARBY, term to expire June 30, 2000, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 154, submitting for consideration and confirmation to the State Council on Mental Health, the nomination of SANDRA J. MIYOSHI, term to expire June 30, 1999, was referred to the Committee on Health and Environment.

Gov. Msg. No. 155, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of HOWARD A. OKITA, term to expire June 30, 2000, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 156, submitting for consideration and confirmation to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, the nomination of ROBERT K.U. KIHUNE, term to expire June 30, 2000, was referred to the Committee on Economic Development.

Gov. Msg. No. 157, submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of DOSS K. TANNEHILL, term to expire June 30, 2000, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 158, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of GUY H. KAULUKUKUI, Ph.D., term to expire June 30, 1998, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 159, submitting for consideration and confirmation to the Board of Public Broadcasting, the nomination of JACK KELLNER, term to expire June 30, 2000, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 160, submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nominations of: DONALD E. ABDUL, terms to expire June 30, 1997 and June 30, 2001; and JEANNE E. YAGI, term to expire June 30, 1998, was referred to the Committee on Judiciary.

Gov. Msg. No. 161, dated January 22, 1997, transmitting a report prepared by the Department of Labor and Industrial Relations in response to H.R. No. 59 (1996), requesting the DLIR to report on its progress in establishing a comprehensive workforce development system in Hawaii, was placed on file.

Gov. Msg. No. 162, dated February 3, 1997, transmitting a report, "Long Term Care Guidelines," prepared by the Executive Office on Aging, was placed on file.

Gov. Msg. No. 163, dated January 21, 1997, transmitting the 1996 Annual Report prepared by the Department of Labor and Industrial Relations pursuant to Section 371-7, HRS, was placed on file.

**STANDING COMMITTEE REPORTS**

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 38) recommending that S.B. No. 1546, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 39) recommending that S.B. No. 1718 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 40) recommending that S.B. No. 1907, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1907, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 41) recommending that S.B. No. 166, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 166, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 42) recommending that S.B. No. 418, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 43) recommending that S.B. No. 897 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 897, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR URGENT CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 44) recommending that S.B. No. 1090 pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1090, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was referred to the Committee on Economic Development.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 45) recommending that S.B. No. 175 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 175, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, February 10, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 46) recommending that S.B. No. 548, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Government Operations and Housing.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was recommitted to the Committee on Government Operations and Housing.

**ORDER OF THE DAY**

**RE-REFERRAL OF SENATE BILLS**

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 217	Committee on Ways and Means
No. 218	Committee on Ways and Means

**ADJOURNMENT**

At 11:40 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 10, 1997.

## SEVENTEENTH DAY

**Monday, February 10, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Rob Gross, Mountain View Community Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixteenth Day.

Senator Bunda introduced Dr. Torao Tokuda, Chairman of the Tokushukai Group in Japan. Accompanying Dr. Tokuda was Dr. Ruth Ono, Vice President of Queens Health Systems, and her husband Al Ono.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 164 and 165) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 164, dated February 3, 1997, transmitting the 1996 Annual Report prepared by the Department of Hawaiian Home Lands pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended, was placed on file.

Gov. Msg. No. 165, submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of: STANLEY H. ROEHRIG, term to expire June 30, 1999; and DONALD C.W. KIM and LILY K. YAO, terms to expire June 30, 2001, was referred to the Committee on Education.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 12 to 19) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 12, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 117, was placed on file.

Hse. Com. No. 13, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 118, H.D. 1, was placed on file.

Hse. Com. No. 14, transmitting H.B. No. 113, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 113, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 15, transmitting H.B. No. 323, which passed Third Reading in the House of Representatives on February 6, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 323, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY COUNSEL," passed

First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 16, transmitting H.B. No. 462, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 462, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 17, transmitting H.B. No. 463, which passed Third Reading in the House of Representatives on February 7, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 463, entitled: "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 18, transmitting H.B. No. 675, H.D. 1, which passed Third Reading in the House of Representatives on February 7, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 675, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRST DEGREE ROBBERY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 19, transmitting H.B. No. 1760, which passed Third Reading in the House of Representatives on February 7, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

## STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 47) recommending that S.B. No. 146, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Senator McCartney moved that Stand. Com. Rep. No. 47 be adopted and S.B. No. 146, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Anderson.

Senator Slom then rose to request that his remarks in opposition to the measure be inserted into the Journal.

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

"Mr. President, I vote no and speak in opposition to this bill for second reading.

"Senate Bill No. 146 (SSCR 47) would impose the Transient Accommodations Tax on time share units the same as transient rentals. I will oppose any and all tax increases this Session since the tax burden is the proximate cause of Hawaii's economic distress and our hostile business climate. We need to cut taxes, not add to, or increase them. Additionally, I believe

there is a clear distinction between time shares, which represent ownership, and are the basis of a sale, and hotel or other transient rentals."

The motion was then put by the Chair and carried, the report of the majority of the Committee was adopted and S.B. No. 146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A TRANSIENT OCCUPANCY TAX," passed Second Reading, with Senator Slom voting "no," and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Kawamoto and Sakamoto, for the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 48) recommending that S.B. No. 325 pass Second Reading and be referred to the Committee on Judiciary.

Senator McCartney moved that Stand. Com. Rep. No. 48 be adopted and S.B. No. 325 pass Second Reading and be referred to the Committee on Judiciary, seconded by Senator Anderson.

Senator Slom rose in opposition and requested that his remarks against the measure be inserted into the Journal.

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

"Mr. President, I vote no and speak in opposition to this bill for second reading.

"Mr. President, while I certainly want to see enforcement of laws relating to domestic abuse, and even expansion of law to protect victims of abuse, I believe that SSCR 48 (S.B. No. 325) goes too far in allowing any government employee of State Human Services to enter a person's residence or business where abuse is 'suspected,' without the need for a warrant. There is no crisis situation described here that would not permit a timely issuance of judicial warrant. And to allow any employee the right of access without liability invades not only privacy, but common sense."

The motion was then put by the Chair and carried, the joint report of the Committees was adopted and S.B. No. 325, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading, with Senator Slom voting "no," and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, jointly with Senators Kawamoto and Sakamoto, for the Committee on Human Resources and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 49) recommending that S.B. No. 1183 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1183, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IN-HOME ELDERLY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 50) recommending that S.B. No. 947, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 947, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE PRESCHOOL OPEN DOORS EARLY CHILDHOOD EDUCATION AND CHILD CARE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 51) recommending that S.B. No. 1557, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1557, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE" passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 12, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 52) recommending that S.B. No. 1631, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 53) recommending that S.B. No. 1503 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1503, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Kawamoto and Sakamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 54) recommending that S.B. No. 633, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 633, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 55) recommending that S.B. No. 815, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 815, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE PEST CONTROL RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 56) recommending that S.B. No. 836, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and

S.B. No. 836, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 57) recommending that S.B. No. 843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 58) recommending that S.B. No. 853, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 853, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 59) recommending that S.B. No. 1012 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 60) recommending that S.B. No. 1013 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1013, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 61) recommending that S.B. No. 1134, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1134, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR DETECTION OF ALIEN PEST SPECIES AT THE STATE'S PORTS OF ENTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 62) recommending that S.B. No. 1424, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1424, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 63) recommending that S.B. No. 1429, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 64) recommending that S.B. No. 1433 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1433, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 65) recommending that S.B. No. 1951 pass Second Reading and be referred to the Committee on Ways and Means.

Senator McCartney moved that Stand. Com. Rep. No. 65 be adopted and S.B. No. 1951 pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Anderson.

Senator Slom then requested that his remarks in opposition to the measure be inserted into the Journal.

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

"Mr. President, I vote no and speak in opposition to this bill for second reading.

"Mr. President, I vote no on SSCR 65 (S.B. No. 1951), which would repeal the sunseting of the General Excise Tax exemption offered to proponents of a Hawaii stock or commodity exchange many years ago. There have been no takers for an exchange because the business climate is so negative and tax burden so high. The answer is not to dangle a tax incentive to one, specific, non-existent business venture, but to lower taxes for all existing, job-creating, income producing businesses in this state. If this were done, all business would improve and possibly an exchange would begin in response to a better overall business climate and level playing field.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, the report of the majority of the Committee was adopted and S.B. No. 1951, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, with Senator Slom voting "no," and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 66) recommending that S.B. No. 1304 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1304, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 12, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 67) recommending that S.B. No. 1578 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1578, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, February 12, 1997.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 175:

By unanimous consent, action on S.B. No. 175, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, February 11, 1997.

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, February 6, 1997:

- |                                    |  |
|------------------------------------|--|
| Senate<br>Concurrent<br>Resolution | Referred to:   |
| No. 19                             | Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means |
| No. 20                             | Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means |
| No. 21                             | Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs                                  |
| No. 22                             | Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs                                  |

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Thursday, February 6, 1997:

- |                      |  |
|----------------------|--|
| Senate<br>Resolution | Referred to:   |
| No. 5                | Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means |
| No. 6                | Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means |

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

The Senate reconvened at 11:55 o'clock a.m.

At this time, Senator Bunda, for the Committee on Government Operations and Housing, requested a waiver of the 72-hour Notice of a Public Hearing on the following bills: S.B. No. 35, S.B. No. 131, S.B. No. 548, S.B. No. 905, S.B. No. 907, S.B. No. 1464 and S.B. No. 1885, and the Chair granted the waiver.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

Senator Ihara rose on a point of information as follows:

"Mr. President, for the members' information, I'd like to explain the Government Operations' hearing waiver. The Government Operations and Housing Committee actually did file a hearing notice, which contained several bills, on February 6 and it was inadvertently not posted until this morning. It was distributed but not posted on the bulletin board, so the waiver was necessary. The hearing will be held at three o'clock tomorrow."

Senator Tam, for the Committee on Education, also requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 214, and the Chair granted the waiver.

**ADJOURNMENT**

At 12:05 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., Tuesday, February 11, 1997.

## EIGHTEENTH DAY

**Tuesday, February 11, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Miho Lim, Honolulu Korean Seventh-Day Adventist Church, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The President announced that he had read and approved the Journal of the Seventeenth Day.

Senator Tam introduced the Hawaii United Chinese Society's 1996 Model Chinese Mother of the Year, Mrs. Winifred Choy Hung Lum Ching, who was accompanied by her daughter, Dr. Juanita Liu; Model Chinese Father of the Year, Senator Hiram Fong; and Chinese Citizen of the Year, George C.K. Young, who was accompanied by his wife Jeanette.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

## HOUSE COMMUNICATION

Hse. Com. No. 20, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House bills, and the request for a conference on the subject matters of said amendments, the Speaker on February 10, 1997, appointed managers, respectively, on the part of the House for the consideration of said amendments:

H.B. No. 117 (S.D. 1):

Representatives Tom, chairman, Cachola, Herkes, Yamane, Whalen.

H.B. No. 118, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Cachola, Herkes, Yamane, Thielen,

was read by the Clerk and was placed on file.

## STANDING COMMITTEE REPORTS

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 68) recommending that S.B. No. 672, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 672, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 69) recommending that S.B. No. 1534, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1534, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

INSURANCE LICENSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 70) recommending that S.B. No. 1705 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1705, entitled: "A BILL FOR AN ACT RELATING TO ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 71) recommending that S.B. No. 957, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 72) recommending that S.B. No. 958 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 958, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 73) recommending that S.B. No. 959 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 959, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 74) recommending that S.B. No. 1714 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1714, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 75) recommending that S.B. No. 1715 pass Second Reading and be placed on the calendar for Third Reading.



On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1715, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 13, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 76) recommending that S.B. No. 1716 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1716, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC DEPOSITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 77) recommending that S.B. No. 162 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 78) recommending that S.B. No. 165, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 79) recommending that S.B. No. 178 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 178, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UPDATING THE INTEGRATED SOLID WASTE MANAGEMENT PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 80) recommending that S.B. No. 179, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN IMMUNODEFICIENCY VIRUS AND ACQUIRED IMMUNODEFICIENCY SYNDROME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 81) recommending that S.B. No. 377, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 82) recommending that S.B. No. 378, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 378, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 83) recommending that S.B. No. 750, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAHUKU HOSPITAL, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 84) recommending that S.B. No. 1088, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 85) recommending that S.B. No. 1363 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 86) recommending that S.B. No. 1710, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1710, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DATA DISCOVERY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 87) recommending that S.B. No. 532, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 532, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

EDUCATION," passed Second Reading and was recommitted to the Committee on Education.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 88) recommending that S.B. No. 538, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Education.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 538, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," passed Second Reading and was recommitted to the Committee on Education.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 89) recommending that S.B. No. 303 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 303, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION AND PRACTICE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 90) recommending that S.B. No. 1576 pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 91) recommending that S.B. No. 1619 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1619, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 92) recommending that S.B. No. 560, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Human Resources.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was recommitted to the Committee on Human Resources.

#### ORDER OF THE DAY

#### MATTER DEFERRED FROM MONDAY, FEBRUARY 10, 1997

#### THIRD READING

S.B. No. 175:

On motion by Senator Levin, seconded by Senator McCartney and carried, S.B. No. 175, 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, 23. Noes, none. Excused, 2 (Aki, Chumbley).

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill                      Referred to:

No. 532, S.D. 1                  Committee on Education, then to the Committee on Ways and Means

No. 538, S.D. 1                  Committee on Education, then to the Committee on Ways and Means

No. 548, S.D. 1                  Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 606                              Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Ways and Means

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

At this time, Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver of the 48-hour Notice of a Public Hearing on S.B. No. 1039 and a waiver of the 72-hour Notice of a Public Hearing on the following Senate bills: S.B. No. 1202, S.B. No. 1670, S.B. No. 1671, S.B. No. 1674, S.B. No. 1784 and S.B. No. 1824, and the Chair granted the waiver.

#### ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 12, 1997.

## NINETEENTH DAY

**Wednesday, February 12, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Beverly Dexter, St. Andrew's Priory, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Eighteenth Day.

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 166, dated January 24, 1997, transmitting the 1996 Annual Report prepared by the Governor's Agriculture Coordinating Committee pursuant to Act 166, SLH 1996, was read by the Clerk and was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 21 to 29) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 21, transmitting H.B. No. 762, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 762, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 22, transmitting H.B. No. 1104, H.D. 1, which passed Third Reading in the House of Representatives on February 10, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," 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. 23, transmitting H.B. No. 173, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 173, 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.

Hse. Com. No. 24, transmitting H.B. No. 1580, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Health and Environment.

Hse. Com. No. 25, transmitting H.B. No. 1635, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1635, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 26, transmitting H.B. No. 1641, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1641, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 27, transmitting H.B. No. 1642, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1642, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC FILING OF TAX RETURNS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 28, transmitting H.B. No. 1646, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1646, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 29, transmitting H.B. No. 1648, which passed Third Reading in the House of Representatives on February 11, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

**STANDING COMMITTEE REPORTS**

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 93) recommending that S.B. No. 453, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 453, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INCREASED ENFORCEMENT OF THE ENVIRONMENTAL LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 94) recommending that S.B. No. 835, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," passed Second Reading and

was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 95) recommending that S.B. No. 1570, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1570, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHIATRIC REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 96) recommending that S.B. No. 1586, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 97) recommending that S.B. No. 1587, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1587, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 98) recommending that S.B. No. 1588, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 99) recommending that S.B. No. 1589, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 100) recommending that S.B. No. 419, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 101) recommending that S.B. No. 848 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 848, entitled: "A BILL FOR AN ACT RELATING TO ENERGY CONSERVATION INCOME TAX CREDITS FOR ENERGY STORAGE SYSTEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 102) recommending that S.B. No. 849 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 849, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PACON INTERNATIONAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 103) recommending that S.B. No. 1426 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1426, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 104) recommending that S.B. No. 1594 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1594, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 105) recommending that S.B. No. 1793 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1793, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII'S SEAFOOD MARKETING INDUSTRY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 106) recommending that S.B. No. 157, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 107) recommending that S.B. No.

1500, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1500, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 108) recommending that S.B. No. 161, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 109) recommending that S.B. No. 412, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 412, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FINANCING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 110) recommending that S.B. No. 739, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 111) recommending that S.B. No. 1551 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1551, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 112) recommending that S.B. No. 1553 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1553, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 113) recommending that S.B. No. 1137 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1137, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PACON INTERNATIONAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 114) recommending that S.B. No. 1211, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1211, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 115) recommending that S.B. No. 1213, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 116) recommending that S.B. No. 1636, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1636, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 117) recommending that S.B. No. 1683 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1683, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 118) recommending that S.B. No. 1782, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1782, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII SAMOAN FLAG DAY FESTIVAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand. Com. Rep. No. 119) recommending that S.B. No. 223 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 223, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 120) recommending that S.B. No. 316, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 121) recommending that S.B. No. 359 pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 359, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 122) recommending that S.B. No. 1660, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1660, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 123) recommending that S.B. No. 1844 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1844, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS AND SEARCH WARRANTS," passed Second Reading and was referred to the Committee on Judiciary.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 1557, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, S.B. No. 1557, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1304:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1304, 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.

S.B. No. 1578:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1578, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Iwase, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on S.B. No. 1431, S.B. No. 1596 and S.B. No. 1597, and the Chair granted the waiver.

Senator Kanno, for the Committee on Human Resources, also requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on S.B. No. 13, and the Chair granted the waiver.

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

The Senate reconvened at 11:44 o'clock a.m.

Senator Tam, for the Committee on Education, then requested a waiver of the 72-hour Notice of a Public Hearing on S.B. No. 23 and S.B. No. 1166, and the Chair granted the waiver.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege, if I may.

"I'd like to read something that was in the paper, an editorial in the *Advertiser*, which more or less says that it was unfair of the state to look at taking some of the county dollars. I think what struck me more than anything else is that it says that 'Cayetano and state lawmakers must continue to focus on cutting costs instead of raising revenues to get out of the pickle they're in. Any sort of tax hike, no matter what level of government makes it, will hinder Hawaii's economic recovery.' And I quite agree, Mr. President.

"But let me explain that the governor recently has said that we have to look at welfare, legal immigrants and a credit. He's been giving out money like crazy. Yet, all of a sudden the Hawaiian community is paying for a lot of these things because they're cutting from Hawaiian programs.

"Mr. President, in different committees we have all kinds of bills that could help this economy and they're not going to hatch like an egg. They're going to have to have hearings, and then they will become, maybe, controversial. But if we don't make those kinds of decisions, the economy is going to be at a standstill. And I think that business, just to sit out there and say foul, is just as bad as we are. They are sending a fax here and there, and if you talk to anybody on the street, they can't come in because they're having a bad time. But you and I must realize that the economy is at a standstill. To just turn around and charge our businesses that are here, and say we're going to raise your taxes so that we can give to others, is not going to satisfy all of our people. We have to move the economy forward.

"So if I were you, ladies and gentlemen, if you sit as heads of a committee that has bills, regardless of how controversial, please hear them and make sure that our economy starts to move, because otherwise we are going to become a third-world state. Just saying that we're going to have tourism helping us is not true. There are all kinds of businesses that we could look at.

"So I would hope that you go along with the editorial and start to move the economy the way it should be and not just look at raising taxes and putting businesses out of business.

"Thank you, Mr. President."

**ADJOURNMENT**

At 11:50 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 13, 1997.

## TWENTIETH DAY

Thursday, February 13, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Pam Vessels, Disciples of Christ, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Nineteenth Day.

Senator Chun Oakland introduced Trustee Robert Kelly of The Harry and Jeanette Weinberg Foundation in recognition of the Foundation's outstanding service to the community.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

## STANDING COMMITTEE REPORTS

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 124) recommending that S.B. No. 1030, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1030, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 125) recommending that S.B. No. 1303 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 126) recommending that S.B. No. 1408, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 127) recommending that S.B. No. 1592, as amended in S.D. 1, pass Second Reading and be

referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPLOSIVES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 128) recommending that S.B. No. 1005, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1005, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS PROMOTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 129) recommending that S.B. No. 1009 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1009, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC CONTEST OFFICIALS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 130) recommending that S.B. No. 1018, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 131) recommending that S.B. No. 1112, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1112, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT EXISTING NATIONALLY AND INTERNATIONALLY TELEVISED GOLF EVENTS IN HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 132) recommending that S.B. No. 1425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.



Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 133) recommending that S.B. No. 1598, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 134) recommending that S.B. No. 1806, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1806, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 135) recommending that S.B. No. 680, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 136) recommending that S.B. No. 681, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 137) recommending that S.B. No. 682, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 682, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, jointly with Senators Kawamoto and Sakamoto, for the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 138) recommending that S.B. No. 871, as

amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 871, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 139) recommending that S.B. No. 873 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 873, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE TO SMALL BUSINESSES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 140) recommending that S.B. No. 1369, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 141) recommending that S.B. No. 1372, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 142) recommending that S.B. No. 1391, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 143) recommending that S.B. No. 1419, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1419, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 144) recommending that S.B. No. 1701

pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1701, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 145) recommending that S.B. No. 1854 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1854, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS FOR AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 146) recommending that S.B. No. 195, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFIT PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 147) recommending that S.B. No. 388, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 388, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 148) recommending that S.B. No. 1340, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1340, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 149) recommending that S.B. No. 1811, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1811, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS IN SHORTAGE AREAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 150) recommending that S.B. No. 985, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 985, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 151) recommending that S.B. No. 1362 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 152) recommending that S.B. No. 1417 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1417, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 153) recommending that S.B. No. 1497, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1497, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 154) recommending that S.B. No. 1486 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1486, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 155) recommending that S.B. No. 1493, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 156) recommending that S.B. No.

1501 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1501, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 157) recommending that S.B. No. 1533 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1533, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 158) recommending that S.B. No. 160, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 159) recommending that S.B. No. 1564, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 160) recommending that S.B. No. 1568, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL SALES OF TOBACCO PRODUCTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 161) recommending that S.B. No. 1569, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1569, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIGARETTE TAX AND TOBACCO TAX LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No.

162) recommending that S.B. No. 1582 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1582, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 163) recommending that S.B. No. 984, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 164) recommending that S.B. No. 1561, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1561, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 165) recommending that S.B. No. 1566, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1566, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE INFORMATION CONFIDENTIALITY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 166) recommending that S.B. No. 1832 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1832, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MENTAL HEALTH SERVICES IN THE NINTH SENATORIAL DISTRICT," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:07 o'clock p.m.

## ORDER OF THE DAY

### THIRD READING

S.B. No. 958:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 958, entitled: "A BILL FOR AN ACT

RELATING TO THE UNIFORM COMMERCIAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 959:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 959, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1714:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1714, entitled: "A BILL FOR AN ACT RELATING TO THE 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. 1715:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1715, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver of the 48-hour Notice of a Public Hearing for decision-making on S.B. No. 45 and several bills which were heard on Tuesday, February 11, 1997, and the Chair granted the waiver.

#### ADJOURNMENT

At 12:11 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 14, 1997.

## TWENTY-FIRST DAY

Friday, February 14, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Sister Mary Lange, SHF, St. Stephen's Diocesan Center, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

The President announced that he had read and approved the Journal of the Twentieth Day.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 30 to 63) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 30, transmitting H.B. No. 100, H.D. 1, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 31, transmitting H.B. No. 141, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 141, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 32, transmitting H.B. No. 364, H.D. 1, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 364, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 33, transmitting H.B. No. 455, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom 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," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 34, transmitting H.B. No. 1377, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1377, entitled: "A BILL FOR AN

ACT RELATING TO THE DISPOSITION OF JUDICIARY RECORDS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 35, transmitting H.B. No. 1576, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," 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. 36, transmitting H.B. No. 1593, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," 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. 37, transmitting H.B. No. 1687, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," 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. 38, transmitting H.B. No. 1700, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1700, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT 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. 39, transmitting H.B. No. 1710, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1710, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 40, transmitting H.B. No. 1770, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1770, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 41, transmitting H.B. No. 1771, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.



Hse. Com. No. 55, transmitting H.B. No. 1786, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1786, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 56, transmitting H.B. No. 1787, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1787, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 57, transmitting H.B. No. 1788, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1788, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 58, transmitting H.B. No. 1789, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1789, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 59, transmitting H.B. No. 1790, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1790, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 60, transmitting H.B. No. 1791, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1791, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 61, transmitting H.B. No. 1792, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1792, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 62, transmitting H.B. No. 1793, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1793, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 63, transmitting H.B. No. 1800, which passed Third Reading in the House of Representatives on February 12, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1800, entitled: "A BILL FOR AN ACT RELATING TO CASH MANAGEMENT OF STATE FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 23 to 29) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 23 "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE ECONOMIC STUDY ON THE DEVELOPMENT OF A PARIMUTUEL HORSE RACING INDUSTRY IN HAWAII."

Offered by: Senators Solomon, Aki, Anderson, Bunda, Ige, M., Iwase, Sakamoto, Tanaka.

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

No. 24 "SENATE CONCURRENT RESOLUTION REQUESTING A MORATORIUM ON THE DEPARTMENT OF LAND AND NATURAL RESOURCE'S ACTIONS ON KAHANA VALLEY AND KAHANA BAY."

Offered by: Senator McCartney.

Referred to: Committee on Water, Land, and Hawaiian Affairs

No. 25 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALTER THE CONTENT OF THE REQUIRED HEALTH CLASSES IN SECONDARY SCHOOLS."

Offered by: Senators Chun Oakland, by request, McCartney.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 26 "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION."

Offered by: Senators Chun Oakland, by request, McCartney.

Referred to: Committee on Human Resources

No. 27 "SENATE CONCURRENT RESOLUTION REQUESTING THAT CARDIOPULMONARY RESUSCITATION AND FIRST AID BE REQUIRED IN ALL

**PUBLIC AND PRIVATE HIGH SCHOOL HEALTH CLASSES."**

Offered by: Senators Chun Oakland, by request, McCartney.

Referred to: Committee on Health and Environment, then to the Committee on Education

**No. 28 "SENATE CONCURRENT RESOLUTION REQUESTING SAFER SCHOOLS IN SECONDARY EDUCATION."**

Offered by: Senators Chun Oakland, by request, McCartney.

Referred to: Committee on Education, then to the Committee on Judiciary

**No. 29 "SENATE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF SOLUTIONS TO THE PUBLIC RIGHT-OF-WAY ISSUE."**

Offered by: Senator Chun Oakland.

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

**SENATE RESOLUTION**

The following resolution (S.R. No. 7) was read by the Clerk and was referred to committee:

**Senate Resolution****No. 7 "SENATE RESOLUTION REQUESTING A MORATORIUM ON THE DEPARTMENT OF LAND AND NATURAL RESOURCE'S ACTIONS ON KAHANA VALLEY AND KAHANA BAY."**

Offered by: Senator McCartney.

Referred to: Committee on Water, Land, and Hawaiian Affairs

**STANDING COMMITTEE REPORTS**

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 167) recommending that S.B. No. 1296, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1296, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Tanaka and Taniguchi, for the Committee on Human Resources and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 168) recommending that S.B. No. 1302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," passed Second

Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 169) recommending that S.B. No. 1555 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1555, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 170) recommending that S.B. No. 25, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 25, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL EDUCATION," passed Second Reading and was referred to the Committee on Human Resources.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 171) recommending that S.B. No. 1214, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1214, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO OFFER TEACHER RECRUITMENT INCENTIVES FOR TEACHER SHORTAGE AREAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 172) recommending that S.B. No. 33, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 33, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 173) recommending that S.B. No. 105, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMISSION ON ENDANGERED PLANTS AND ANIMALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 174) recommending that S.B. No. 109, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF POSITIONS IN THE DEPARTMENT OF HEALTH FROM TEMPORARY



STATUS TO PERMANENT STATUS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 175) recommending that S.B. No. 251, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 176) recommending that S.B. No. 944, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 177) recommending that S.B. No. 495 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 495, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO REIMBURSE HAWAII QUALIFIED HEALTH CENTERS FOR MEDICAL CARE PROVIDED TO THE UNINSURED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 178) recommending that S.B. No. 800, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 179) recommending that S.B. No. 145 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 145, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COMPANIES," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 180) recommending that S.B. No.

152, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 181) recommending that S.B. No. 1322 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1322, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 182) recommending that S.B. No. 1484, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 183) recommending that S.B. No. 1502, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 184) recommending that S.B. No. 1530 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1530, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 185) recommending that S.B. No. 1535, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 186)

recommending that S.B. No. 814 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 814, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 187) recommending that S.B. No. 1542 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1542, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 188) recommending that S.B. No. 925 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 925, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 189) recommending that S.B. No. 1347 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1347, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 190) recommending that S.B. No. 1131 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1131, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 191) recommending that S.B. No. 921 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 921, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 192) recommending that S.B. No. 924 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 924, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CONTENT AND PERFORMANCE STANDARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 193) recommending that S.B. No. 923 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL ASSESSMENT AND ACCOUNTABILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 194) recommending that S.B. No. 361 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 361, entitled: "A BILL FOR AN ACT RELATING TO REGISTRARS FOR COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 195) recommending that S.B. No. 70 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 70, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR STUDENT LOCKERS AT CENTRAL INTERMEDIATE SCHOOL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 196) recommending that S.B. No. 1549 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1549, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 197) recommending that S.B. No. 818 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 818, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 198) recommending that S.B. No. 1159 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and

S.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 199) recommending that S.B. No. 8, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 8, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 200) recommending that S.B. No. 174, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 174, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATEWIDE DISASTER DEBRIS MANAGEMENT PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 201) recommending that S.B. No. 364 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 364, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 202) recommending that S.B. No. 387, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 387, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NANAKULI HOMESTEAD CEMETERY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 203) recommending that S.B. No. 674 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 674, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF FORESTRY AND WILDLIFE RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 204) recommending that S.B. No. 1003, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 205) recommending that S.B. No. 1079 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1079, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DETAILED HYDROLOGICAL AND FEASIBILITY STUDY TO IDENTIFY SPECIFIC WATER RESOURCES IN SOUTH KONA," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 206) recommending that S.B. No. 1180 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1180, entitled: "A BILL FOR AN ACT RELATING TO TASK FORCE FOR HAWAIIAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 207) recommending that S.B. No. 1201 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1201, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ROUTE SURVEY, SOIL INVESTIGATION, AND PRELIMINARY ENGINEERING DESIGN OF THE POHAKULOA AND WAIMEA WATER DEVELOPMENT PROJECT AND TRANSMISSION LINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 208) recommending that S.B. No. 1234, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 209) recommending that S.B. No. 1538 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1538, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 210) recommending that S.B. No. 1540, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 211) recommending that S.B. No. 1593, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 212) recommending that S.B. No. 1601 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1601, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 213) recommending that S.B. No. 1607 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 214) recommending that S.B. No. 1635 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1635, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 215) recommending that S.B. No. 1638 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 216) recommending that S.B. No. 1813 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1813, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND DESIGN OF A COMMERCIAL CENTER AND LIGHT INDUSTRIAL

USE AREA ON LANAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 217) recommending that S.B. No. 1886 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1886, entitled: "A BILL FOR AN ACT RELATING TO FLOOD CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 218) recommending that S.B. No. 1865, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1865, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Tanaka and Taniguchi and Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs, the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 219) recommending that S.B. No. 1887, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI CANAL WATERSHED MANAGEMENT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 220) recommending that S.B. No. 425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF ATHLETIC EVENTS HELD IN HAWAII," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Aki and Tam, for the Committee on Economic Development and the Committee on Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 221) recommending that S.B. No. 724, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 724, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OCEAN FLOATING ALL-NATURAL CLEAN ENERGY POWER STATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 222) recommending that S.B. No. 1171, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 223) recommending that S.B. No. 1250 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1250, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 224) recommending that S.B. No. 1252 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1252, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 225) recommending that S.B. No. 1254 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1254, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 226) recommending that S.B. No. 1259 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1259, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 227) recommending that S.B. No. 1415 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1415, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF STATEWIDE AGRICULTURAL ACTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 228) recommending that S.B. No. 1427, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 229) recommending that S.B. No. 1434 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1434, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR HOTEL RENOVATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Iwase and Solomon, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 230) recommending that S.B. No. 1597, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, jointly with Senators Kawamoto and Sakamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 231) recommending that S.B. No. 1752, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 232) recommending that S.B. No. 1792, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.B. No. 1792, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 233) recommending that S.B. No. 1933 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the majority of the Committee was adopted and S.B. No. 1933, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second

Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Aki and Tam, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 234) recommending that S.B. No. 1076, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1076, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO EXPAND THE D.A.R.E. PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 235) recommending that S.B. No. 1379, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1379, S.D. 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS FOR ROAD IMPROVEMENT PROJECTS RELATED TO THE HAWAII CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Iwase and Solomon, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 236) recommending that S.B. No. 1605, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," passed Second Reading, with Senator Slom voting "No", and was referred to the Committee on Ways and Means

## ORDER OF THE DAY

### RE-REFERRAL OF SENATE BILLS

The President re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 653	Committee on Human Resources, then to the Committee on Judiciary
No. 1466	Committee on Ways and Means, then to the Committee on Judiciary

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

### STANDING COMMITTEE REPORTS

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate bills pass Second Reading and be referred to committees. The Clerk was further authorized to receive

standing committee reports recommending that Senate bills pass Second Reading and be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 11:58 o'clock a.m., the Senate took the following actions on the following bills and standing committee reports:

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 237) recommending that S.B. No. 1653 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1653, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 238) recommending that S.B. No. 68 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 68, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 239) recommending that S.B. No. 441 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 441, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 240) recommending that S.B. No. 858 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 858, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FULL-TIME TEACHERS FOR THE DEPARTMENT OF EDUCATION'S COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 241) recommending that S.B. No. 861 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 861, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO INCREASE THE NUMBER OF STUDENT MEMBERS ON THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 242) recommending that S.B. No. 863 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 863, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS

CONFERENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 243) recommending that S.B. No. 917 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 917, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUCCESS COMPACT AND OTHER LITERACY INITIATIVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 244) recommending that S.B. No. 919 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 919, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEARNING OPPORTUNITY ACADEMIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 245) recommending that S.B. No. 920 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 920, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR YEAR-ROUND/MULTI-TRACK EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 246) recommending that S.B. No. 922 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 922, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STAFFING FOR SPECIAL EDUCATION IN REGULAR SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 247) recommending that S.B. No. 993 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 993, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INNOVATIONS IN ART EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 248) recommending that S.B. No. 994 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 994, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MIDDLE SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 249) recommending that S.B. No. 1129 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1129, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO SUPPORT THE SENIOR CITIZEN COMMUNITY AND ADULT EDUCATION PROGRAM OF THE DEPARTMENT OF EDUCATION'S COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 250) recommending that S.B. No. 1132 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1132, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 251) recommending that S.B. No. 1236 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1236, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION TO FUND AN ATTENTION DEFICIT DISORDER PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 252) recommending that S.B. No. 1574 pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 253) recommending that S.B. No. 1624 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 254) recommending that S.B. No. 1625 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1625, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 255) recommending that S.B. No. 1680 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1680, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WORKERS' COMPENSATION PROGRAM IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 256) recommending that S.B. No. 1681 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1681, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WORKERS' COMPENSATION WAGE REPLACEMENT COSTS IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 257) recommending that S.B. No. 1682 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1682, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN UNEMPLOYMENT INSURANCE COST REDUCTION PROGRAM IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 258) recommending that S.B. No. 1691 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1691, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Aki and Tam, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 259) recommending that S.B. No. 822 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 822, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 260) recommending that S.B. No. 14, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 261) recommending that S.B. No. 16, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 16, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FERRY TRANSIT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 262) recommending that S.B. No. 22, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 22, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 263) recommending that S.B. No. 116 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 116, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 264) recommending that S.B. No. 193 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 265) recommending that S.B. No. 246, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONTRACTS," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 266) recommending that S.B. No. 264, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.



Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 267) recommending that S.B. No. 268 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 268, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 268) recommending that S.B. No. 297 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 297, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HONOLULU POLICE DEPARTMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 269) recommending that S.B. No. 310 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 310, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 270) recommending that S.B. No. 362 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 362, entitled: "A BILL FOR AN ACT RELATING TO CRIMES AGAINST PERSONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 271) recommending that S.B. No. 635, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 635, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 272) recommending that S.B. No. 638, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 638, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A FLIGHT TRAINER SIMULATOR,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 273) recommending that S.B. No. 700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL ASSISTANCE FOR FILIPINO VETERANS OF WORLD WAR II," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 274) recommending that S.B. No. 711 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 711, entitled: "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 275) recommending that S.B. No. 821, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 821, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 276) recommending that S.B. No. 868, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 868, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 277) recommending that S.B. No. 869, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 869, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 278) recommending that S.B. No. 870, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 870, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PICKUP TRUCKS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 279) recommending that S.B. No. 991, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 991, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 280) recommending that S.B. No. 1194, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1194, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF INCREMENTAL DEVELOPMENTS OF BARBERS POINT HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 281) recommending that S.B. No. 1197, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1197, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 282) recommending that S.B. No. 1256, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1256, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIVESTOCK OWNERSHIP AND MOVEMENT CERTIFICATION AND ENFORCEMENT OF CITATION AND SUMMONS," passed Second Reading and was referred to the Committee on Economic Development.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 283) recommending that S.B. No. 1373 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1373, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO UPGRADE THE TELECOMMUNICATIONS SYSTEM OF THE HAWAII COUNTY POLICE DEPARTMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 284) recommending that S.B. No. 1384 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1384, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 285) recommending that S.B. No. 1385 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 286) recommending that S.B. No. 1392, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1392, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 287) recommending that S.B. No. 1677, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 288) recommending that S.B. No. 1766 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1766, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 289) recommending that S.B. No. 1848 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1848, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MAUI POLICE DEPARTMENT TO UPGRADE THE TELECOMMUNICATIONS SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 290) recommending that S.B. No.

1922 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1922, entitled: "A BILL FOR AN ACT RELATING TO MINOR PASSENGERS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 291) recommending that S.B. No. 130, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 292) recommending that S.B. No. 291, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 291, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COUNTY COMMUNITY POLICING PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 293) recommending that S.B. No. 631 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 631, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 294) recommending that S.B. No. 746, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 746, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU FOR THE 'NO HOPE IN DOPE' PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 295) recommending that S.B. No. 1039 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1039, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HONOLULU POLICE DEPARTMENT FOR COSTS TO BE INCURRED

SERVING AS THE STATE OF HAWAII CONTROL TERMINAL AGENCY FOR THE NATIONWIDE CRIMINAL JUSTICE INFORMATION SYSTEMS, AND TO IMPLEMENT THE NEW NCIC 2000 SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 296) recommending that S.B. No. 1202 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1202, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR SADDLE ROAD, HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 297) recommending that S.B. No. 1407 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1407, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF BONDS AND MAKING AN APPROPRIATION FOR THE COUNTY OF KAUAI CAPITAL IMPROVEMENT PROJECTS FOR HAZARD MITIGATION MEASURES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 298) recommending that S.B. No. 1409, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREFERENCE TO BIDDERS ON COUNTY CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 299) recommending that S.B. No. 1618 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1618, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 300) recommending that S.B. No. 1673 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1673, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEETINGS OF PUBLIC AGENCIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 301) recommending that S.B. No. 1784 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1784, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTION OF FARRINGTON HIGHWAY AND LAUMANIA STREET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 302) recommending that S.B. No. 1845, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1845, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, jointly with Senators Baker and D. Ige, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, presented a joint report (Stand. Com. Rep. No. 303) recommending that S.B. No. 1859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 304) recommending that S.B. No. 1934 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1934, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF AIRPORT REVENUES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 305) recommending that S.B. No. 58, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 306) recommending that S.B. No. 60, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BILINGUAL/BICULTURAL SCHOOL-

HOME ASSISTANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 307) recommending that S.B. No. 65, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REGISTRAR POSITIONS AT INTERMEDIATE SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 308) recommending that S.B. No. 66, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 66, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL COUNSELORS IN THE PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 309) recommending that S.B. No. 72, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 310) recommending that S.B. No. 269, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 269, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EDUCATIONAL BILL OF RIGHTS FOR HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 311) recommending that S.B. No. 396, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER EVALUATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 312) recommending that S.B. No. 440, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 440, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE FUNDING FOR PLANNING AND PROGRAMMING OF CONTINUING

EDUCATION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 313) recommending that S.B. No. 492, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION OF PUBLIC SCHOOL STUDENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 314) recommending that S.B. No. 859, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 859, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY SCHOOLS FOR ADULTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 315) recommending that S.B. No. 860, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 860, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 316) recommending that S.B. No. 864, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 864, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INCREASE FUNDING FOR SCHOOLS FOR SUPPLIES, EQUIPMENT, AND MAINTENANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 317) recommending that S.B. No. 865, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 865, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH SCHOOL BASED HEALTH CENTERS IN ALL PUBLIC SECONDARY SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 318) recommending that S.B. No. 866, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION IN SUPPORT OF STUDENT ACTIVITIES IN PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 319) recommending that S.B. No. 945, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 945, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 320) recommending that S.B. No. 1130, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1130, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO THE PARENT-COMMUNITY NETWORKING CENTERS AND THE FAMILIES FOR R.E.A.L. PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 321) recommending that S.B. No. 1133, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1133, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL SECURITY ATTENDANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 322) recommending that S.B. No. 1343, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1343, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 323) recommending that S.B. No. 1346, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PARENT-COMMUNITY NETWORKING CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 324) recommending that S.B. No. 1418, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1418, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION

COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 325) recommending that S.B. No. 1628, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1628, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 326) recommending that S.B. No. 1725, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1725, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 327) recommending that S.B. No. 1743, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1743, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 328) recommending that S.B. No. 1779, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1779, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE SHELTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 329) recommending that S.B. No. 663, as amended in S.D. 1, pass Second Reading and be referred jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY INSURANCE," passed Second Reading and was referred jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 330) recommending that S.B. No. 1192, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAND RIGHTS AND PRELIMINARY ENGINEERING DESIGN AND FIELD SURVEYING FOR THE UPCOUNTRY MAUI WATERSHED PROJECT, KULA, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Bunda and M. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 331) recommending that S.B. No. 1539 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1539, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Aki and Tam, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 332) recommending that S.B. No. 1757, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 333) recommending that S.B. No. 1875, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1875, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 334) recommending that S.B. No. 1881, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 335) recommending that S.B. No. 5, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 5, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 336) recommending that S.B. No. 150 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 150, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 337) recommending that S.B. No. 398, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 338) recommending that S.B. No. 1032, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 339) recommending that S.B. No. 1110 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 340) recommending that S.B. No. 1918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 341) recommending that S.B. No. 143, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 143, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TOBACCO USE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 342) recommending that S.B. No. 1087, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 343) recommending that S.B. No. 1248, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 344) recommending that S.B. No. 1577, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 345) recommending that S.B. No. 1903 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1903, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report (Stand. Com. Rep. No. 346) recommending that S.B. No. 132, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report (Stand. Com. Rep. No. 347) recommending that S.B. No. 462 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 462, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 348) recommending that S.B. No. 1350, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 349) recommending that S.B. No. 1351 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1351, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 350) recommending that S.B. No. 1851 pass Second Reading and be referred to the Committee on Government Operations and Housing.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1851, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Government Operations and Housing.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 351) recommending that S.B. No. 548, S.D. 1, be referred to Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 352) recommending that S.B. No. 1153, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 353) recommending that S.B. No. 1884, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 354) recommending that S.B. No. 1885, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1885, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 355) recommending that S.B. No. 918, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 356) recommending that S.B. No. 1045, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 357) recommending that S.B. No. 1359, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 358) recommending that S.B. No. 1543 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1543, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 359) recommending that S.B. No. 1437 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1437, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING







Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 385) recommending that S.B. No. 376, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and McCartney, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 386) recommending that S.B. No. 450 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 450, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 387) recommending that S.B. No. 497 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 497, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 388) recommending that S.B. No. 846, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 846, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 389) recommending that S.B. No. 1352, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS COUNSELORS FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 390) recommending that S.B. No. 1748, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1748, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HOME HEMODIALYSIS PROGRAM ON MOLOKAI AND LANAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 391) recommending that S.B. No. 1773, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1773, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 392) recommending that S.B. No. 1904, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1904, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LONG-TERM REHABILITATION RESIDENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 393) recommending that S.B. No. 755, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE COMPANY TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 394) recommending that S.B. No. 1141, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1141, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF TRAFFIC LIGHTS AT THE INTERSECTION OF WAIOMEA STREET AND FARRINGTON HIGHWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 395) recommending that S.B. No. 1824, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1824, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 396) recommending that S.B. No. 961, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 397) recommending that S.B. No. 1488, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1488, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 398) recommending that S.B. No. 1489 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1489, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 399) recommending that S.B. No. 1492, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 400) recommending that S.B. No. 1506, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 401) recommending that S.B. No. 1512 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1512, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a

report (Stand. Com. Rep. No. 402) recommending that S.B. No. 1529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, jointly with Senators Chun Oakland and Kanno, for the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 403) recommending that S.B. No. 1924, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, jointly with Senators Chun Oakland and Kanno, for the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 404) recommending that S.B. No. 1925, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE RATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 405) recommending that S.B. No. 107, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT" passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 406) recommending that S.B. No. 809, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 809, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 407) recommending that S.B. No. 1037 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees 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," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 408) recommending that S.B. No. 852, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 409) recommending that S.B. No. 1239, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 410) recommending that S.B. No. 1297, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 411) recommending that S.B. No. 1802, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1802, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 412) recommending that S.B. No. 17, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 17, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 413) recommending that S.B. No. 27, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROJECT GRADUATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 414) recommending that S.B. No. 77, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 415) recommending that S.B. No. 380 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 380, entitled: "A BILL FOR AN ACT RELATING TO COACHES' SALARIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 416) recommending that S.B. No. 439, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 439, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 417) recommending that S.B. No. 1056, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1056, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF PHYSICAL AND SEXUAL VIOLENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 418) recommending that S.B. No. 1210 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 419) recommending that S.B. No. 1251 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1251, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 420) recommending that S.B. No. 1255, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 421) recommending that S.B. No. 1414, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1414, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Iwase and Solomon, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 422) recommending that S.B. No. 1431, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1431, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 423) recommending that S.B. No. 1611, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 424) recommending that S.B. No. 167, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 167, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and

Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 425) recommending that S.B. No. 491, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 491, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 426) recommending that S.B. No. 496, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 496, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAKE WRAP-AROUND PAYMENTS TO HAWAII QUALIFIED HEALTH CENTERS FOR PROVIDING SERVICES TO QUEST PATIENTS AT LESS THAN COST," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 427) recommending that S.B. No. 1420, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1420, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 428) recommending that S.B. No. 1559, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1559, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 429) recommending that S.B. No. 1567, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1567, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 430) recommending that S.B. No. 1572, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1572, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 431) recommending that S.B. No. 1583, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1583, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 432) recommending that S.B. No. 208, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, February 18, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 433) recommending that S.B. No. 941, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee 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," passed Second Reading and was referred to the Committee on Judiciary.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 434) recommending that S.B. No. 1316, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 435) recommending that S.B. No. 1146 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO WAGE OVERPAYMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 436) recommending that S.B. No.

1626, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 437) recommending that S.B. No. 553, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Health and Environment.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was recommitted to the Committee on Health and Environment.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 438) recommending that S.B. No. 201, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senators Aki and Tam, for the Committee on Judiciary and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 439) recommending that S.B. No. 339 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 339, entitled: "A BILL FOR AN ACT RELATING TO THE PILOT TEEN COURT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 440) recommending that S.B. No. 706 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 706, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 441) recommending that S.B. No. 708, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 708, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEAL COURT FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 442) recommending that S.B. No. 715, as amended in S.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 443) recommending that S.B. No. 717, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 717, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 444) recommending that S.B. No. 720, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 720, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 445) recommending that S.B. No. 721 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 721, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 446) recommending that S.B. No. 1260, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 447) recommending that S.B. No. 1265, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1265, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 448) recommending that S.B. No. 1269, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1269, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 449) recommending that S.B. No. 1270, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450) recommending that S.B. No. 1287, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Bunda and M. Ige, for the Committee on Human Resources and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 451) recommending that S.B. No. 406, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 406, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 452) recommending that S.B. No. 729 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 729, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 453) recommending that S.B. No. 1142 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1142, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.



Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 454) recommending that S.B. No. 1143, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 455) recommending that S.B. No. 242, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 456) recommending that S.B. No. 719, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 719, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 457) recommending that S.B. No. 831, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 458) recommending that S.B. No. 838, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 459) recommending that S.B. No. 842, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 842, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 460) recommending that S.B. No. 990 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 990, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 461) recommending that S.B. No. 1093, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1093, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MATCHING FUNDS FOR THE FEDERAL AMERICORPS GRANT FOR THE STUDENTS AND ADVOCATES FOR VICTIMS OF DOMESTIC VIOLENCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 462) recommending that S.B. No. 1264 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1264, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 463) recommending that S.B. No. 1266, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1266, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 464) recommending that S.B. No. 1268, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 465) recommending that S.B. No. 1288, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANT ATTORNEYS GENERAL,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 466) recommending that S.B. No. 1290, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 467) recommending that S.B. No. 1308, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1308, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 468) recommending that S.B. No. 1309, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 469) recommending that S.B. No. 1311 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 470) recommending that S.B. No. 1314, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1314, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL HEALTH CARE ADMINISTRATOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 471) recommending that S.B. No. 1315 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee

was adopted and S.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 472) recommending that S.B. No. 1326, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1326, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 473) recommending that S.B. No. 1353 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 474) recommending that S.B. No. 1706, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 475) recommending that S.B. No. 286, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chun Oakland and Kanno, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 476) recommending that S.B. No. 45, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 477) recommending that S.B. No. 399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee

was adopted and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 478) recommending that S.B. No. 632, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 632, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 479) recommending that S.B. No. 1470, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga and Senators Tanaka and Taniguchi, for the Committee on Transportation and Intergovernmental Affairs, the Committee on Judiciary and the Committee on Economic Development, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 480) recommending that S.B. No. 1472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 481) recommending that S.B. No. 1657 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 482) recommending that S.B. No. 1658 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1658, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 483) recommending that S.B. No. 1738, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 484) recommending that S.B. No. 1862, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1862, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY RATES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, jointly with Senators Baker and D. Ige, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, presented a joint report (Stand. Com. Rep. No. 485) recommending that S.B. No. 1916, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1916, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 486) recommending that S.B. No. 257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 487) recommending that S.B. No. 727, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 727, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 488) recommending that S.B. No. 1023, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee

was adopted and S.B. No. 1023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 489) recommending that S.B. No. 1243 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1243, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION AND SUBSEQUENT NONWORK RELATED INJURIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 490) recommending that S.B. No. 906, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 906, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 491) recommending that S.B. No. 908 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 908, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 492) recommending that S.B. No. 1004, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS FOR AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 493) recommending that S.B. No. 1272, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1272, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 494) recommending that S.B. No. 1361, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 495) recommending that S.B. No. 1463, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1463, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 496) recommending that S.B. No. 1474, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 497) recommending that S.B. No. 209 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee 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," passed Second Reading and was referred to the Committee on Judiciary.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 498) recommending that S.B. No. 1421, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1421, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 499) recommending that S.B. No. 1466, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 500) recommending

that S.B. No. 854, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PORT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 501) recommending that S.B. No. 47, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 502) recommending that S.B. No. 757, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 503) recommending that S.B. No. 760 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS-WITHIN-SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 504) recommending that S.B. No. 782 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 782, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 505) recommending that S.B. No. 1678, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 506) recommending that S.B. No. 1742, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1742, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 507) recommending that S.B. No. 263, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and S.B. No. 263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 508) recommending that S.B. No. 1552, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 509) recommending that S.B. No. 1795 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1795, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 510) recommending that S.B. No. 1874, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 511) recommending that S.B. No. 1732, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators M. Ige and Bunda, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 512) recommending that S.B. No. 1632, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1632, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 513) recommending that S.B. No. 252 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 252, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 514) recommending that S.B. No. 728, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 515) recommending that S.B. No. 824, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 824, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 516) recommending that S.B. No. 1293, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 517) recommending that S.B. No. 1328, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX RELIEF FOR LONG-TERM CARE EXPENSES FOR LONG-TERM HEALTH NEEDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 518) recommending that S.B. No. 1348, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1348, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII QUEST," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 519) recommending that S.B. No. 1726, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1726, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTREACH WORKERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 520) recommending that S.B. No. 1879, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1879, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 521) recommending that S.B. No. 23, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 23, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 522) recommending that S.B. No. 532, S.D. 1, as amended in S.D. 2, be referred to Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 532, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 523) recommending that S.B. No. 538, S.D. 1, as amended in S.D. 2, be referred to Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 538, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 524) recommending that S.B. No. 1166, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1166, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR MUSIC EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 525) recommending that S.B. No. 18, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 18, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A PASSIVE PARK AND TO INCREASE PARKING NEAR THE PEARL CITY LIBRARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 526) recommending that S.B. No. 527, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Economic Development.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was recommitted to the Committee on Economic Development.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 527) recommending that S.B. No. 1430 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1430, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 528) recommending that S.B. No. 1600, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Levin and Metcalf, for the Committee on Economic Development and the Committee on Health and Environment, presented a joint report (Stand. Com. Rep. No. 529) recommending that S.B. No. 1666, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPOSTING IN THE STATE AGRICULTURAL DISTRICTS," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 530) recommending that S.B. No. 1843, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII VISITORS AND CONVENTION BUREAU," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 531) recommending that S.B. No. 1889, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 532) recommending that S.B. No. 114, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 533) recommending that S.B. No. 139, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 139, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 534) recommending that S.B. No. 196, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 196, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 535) recommending that S.B. No. 356, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AMBULANCE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 536) recommending that S.B. No. 379, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 537) recommending that S.B. No. 1082, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 538) recommending that S.B. No. 1089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1089, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 539) recommending that S.B. No. 1244, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION OF PLANTS AND WILDLIFE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 540) recommending that S.B. No. 1573, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1573, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 541) recommending that S.B. No. 1579, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 542) recommending that S.B. No. 1580, as amended in S.D. 1,

pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1580, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 543) recommending that S.B. No. 1581, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 544) recommending that S.B. No. 30 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 30, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 545) recommending that S.B. No. 235 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 235, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT THE LONG-TERM CARE INSURANCE BENEFITS PLAN OF THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 546) recommending that S.B. No. 262 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 262, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 547) recommending that S.B. No. 653, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 653, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand.



Com. Rep. No. 548) recommending that S.B. No. 1057, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 549) recommending that S.B. No. 1292 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1292, entitled: "A BILL FOR AN ACT RELATING TO VACATION ALLOWANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 550) recommending that S.B. No. 1294, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1294, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 551) recommending that S.B. No. 1295, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 552) recommending that S.B. No. 1765, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 553) recommending that S.B. No. 1927 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1927, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FUND MEDICARE PART B," passed Second Reading and was referred to the Committee on Ways and Means.

**ADJOURNMENT**

At 10:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 18, 1997.

## TWENTY-SECOND DAY

Tuesday, February 18, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Larry Smedley, Hawaii Conference of Seventh-Day Adventists, after which the Roll was called showing all Senators present.

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

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 64 to 78) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 64, transmitting H.B. No. 728, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 728, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 65, transmitting H.B. No. 1262, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STUDY OF THREE TAX PROPOSALS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 66, transmitting H.B. No. 1640, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1640, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 67, transmitting H.B. No. 1643, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS TO THE STATE BY ELECTRONIC FUNDS TRANSFER," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 68, transmitting H.B. No. 1645, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1645, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY

COMPANY ACT," 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. 69, transmitting H.B. No. 1647, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1647, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF CERTAIN SELLERS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 70, transmitting H.B. No. 1768, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME 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. 71, transmitting H.B. No. 1778, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1778, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," 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. 72, transmitting H.B. No. 1799, H.D. 1, which passed Third Reading in the House of Representatives on February 13, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1799, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 73, transmitting H.C.R. No. 26, which was adopted by the House of Representatives on February 13, 1997, was placed on file.

By unanimous consent, H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING LEIMOMI MO'OKINI LUM AS A 'LIVING TREASURE' OF THE STATE OF HAWAII," was referred to the Committee on Education.

Hse. Com. No. 74, transmitting H.B. No. 107, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 107, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 75, transmitting H.B. No. 617, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 76, transmitting H.B. No. 1690, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1690, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 77, transmitting H.B. No. 1804, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1804, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 78, transmitting H.B. No. 2174, H.D. 1, which passed Third Reading in the House of Representatives on February 14, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2174, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE INFRASTRUCTURE PARTNERSHIPS," passed First Reading by title and was referred to the Committee on Ways and Means.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 30 to 35) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 30 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF OCCUPATIONAL THERAPISTS."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 31 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF ARCHAEOLOGISTS."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 32 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF PROFESSIONAL WRESTLING."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 33 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TOW TRUCK OPERATORS."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 34 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF CHILD CARE PROVIDERS."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 35 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TAX PREPARERS."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

**STANDING COMMITTEE REPORT**

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 554) recommending that the Senate advise and consent to the nomination of CHESTER C. KUNITAKE to the Hawaii Labor Relations Board, in accordance with Gov. Msg. No. 149.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 554 and Gov. Msg. No. 149 was deferred until Wednesday, February 19, 1997.

**ORDER OF THE DAY**

**THIRD READING**

S.B. No. 985, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 985, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

S.B. No. 1362:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1362, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," 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. 1486:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1486, 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, 24. Noes, none. Excused, 1 (Metcalf).

S.B. No. 1493, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," 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. 1501:

Senator Baker moved that S.B. No. 1501, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose and stated:

"Mr. President, I will be voting 'Aye' with reservations on S.B. No. 1501. Thank you."

The motion was then put by the Chair and carried, S.B. No. 1501, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

S.B. No. 1533:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1533, 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.

S.B. No. 1624:

By unanimous consent, action on S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Wednesday, February 19, 1997.

S.B. No. 1625:

By unanimous consent, action on S.B. No. 1625, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Wednesday, February 19, 1997.

S.B. No. 14, S.D. 1:

By unanimous consent, action on S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," was deferred until Wednesday, February 19, 1997.

S.B. No. 1385:

By unanimous consent, action on S.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," was deferred until Wednesday, February 19, 1997.

S.B. No. 130, S.D. 1:

By unanimous consent, action on S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Wednesday, February 19, 1997.

S.B. No. 1110:

By unanimous consent, action on S.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," was deferred until Wednesday, February 19, 1997.

S.B. No. 1885, S.D. 1:

By unanimous consent, action on S.B. No. 1885, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Wednesday, February 19, 1997.

S.B. No. 107, S.D. 1:

By unanimous consent, action on S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT," was deferred until Wednesday, February 19, 1997.

S.B. No. 208, S.D. 1:

By unanimous consent, action on S.B. No. 208, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Wednesday, February 19, 1997.

#### RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 527, S.D. 1	Jointly to the Committee on Economic Development and the Committee on Ways and Means
No. 553, S.D. 1	Committee on Ways and Means
No. 1285	Jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means
No. 1652	Jointly to the Committee on Human Resources and the Committee on Ways and Means

At this time, Senator Tam rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, late last week, unfortunately, Anne Uehara, from my office, passed away. She had cancer of the colon.

"The family and I wish to thank you very much for your condolences. She was a very fine worker who worked for the Legislature for 15 very effective and productive years.

"Once again, the family thanks you. Her desire was to have a private funeral and burial service. She will be buried next week Friday. Thank you."

#### APPOINTMENT OF CONFEREES

H.B. No. 117 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 117, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf as managers on the part of the Senate at such conference.

H.B. No. 118, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 118, H.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 19, 1997, in memory of the late Anne Uehara.

## TWENTY-THIRD DAY

Wednesday, February 19, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:47 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Ernest Uno, St. Mary's Episcopal Church, after which the Roll was called showing all Senators present with the exception of Senator Mizuguchi who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Second Day.

Senator Tam introduced several individuals representing the Hawaii State Parent Teacher Student Association in commemoration of the 100th anniversary of the National Parent Teacher Student Association.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 167 to 171) were read by the Clerk and were placed on file:

Gov. Msg. No. 167, dated February 3, 1997, transmitting the "Third Progress Report on the Hawaii State Clearinghouse On Missing Children and the Hawaii Missing Children Clearinghouse Trust Fund," prepared by the Department of the Attorney General pursuant to Act 246, SLH 1994.

Gov. Msg. No. 168, dated February 6, 1997, transmitting the Joint Report on the Status of the Decategorization Pilot Project, prepared by the Department of Human Services and Office of Youth Services, the Department of Health, and the Department of Education, pursuant to Act 287, Section 194.1, SLH 1996.

Gov. Msg. No. 169, dated February 6, 1997, transmitting the 1996 Report prepared by the Commission to Promote Uniform Legislation, Department of the Attorney General.

Gov. Msg. No. 170, dated February 7, 1997, transmitting the "Annual Report on the Research and Training Revolving Fund," prepared by the University of Hawaii pursuant to Section 304-8.1, HRS.

Gov. Msg. No. 171, dated February 10, 1997, transmitting the 1996 Compliance Resolution Fund Annual Report, prepared by the Department of Commerce and Consumer Affairs, pursuant to Section 26-9, HRS.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 15, from the Department of Budget and Finance, Public Utilities Commission, dated February 12, 1997, transmitting a report on the progress taken pursuant to Act 174, SLH 1996, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 79 and 80) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 79, transmitting H.B. No. 139, H.D. 2, which passed Third Reading in the House of Representatives on February 18, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 139, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC 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. 80, transmitting H.B. No. 519, H.D. 1, which passed Third Reading in the House of Representatives on February 18, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed First Reading by title and was referred to the Committee on Human Resources.

## STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 555) recommending that S.B. No. 505, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 505, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 556) recommending that S.B. No. 512, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 512, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," passed Second Reading and was recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 557) recommending that S.B. No. 623, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Second Reading and was recommitted to the Committee on Ways and Means.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

## ORDER OF THE DAY

## THIRD READING

MATTERS DEFERRED FROM  
TUESDAY, FEBRUARY 18, 1997

S.B. No. 1624:

By unanimous consent, action on S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Thursday, February 27, 1997.

S.B. No. 1625:

By unanimous consent, action on S.B. No. 1625, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Thursday, February 27, 1997.

S.B. No. 14, S.D. 1:

By unanimous consent, action on S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," was deferred until Thursday, February 27, 1997.

S.B. No. 1385:

By unanimous consent, action on S.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," was deferred until Thursday, February 27, 1997.

S.B. No. 130, S.D. 1:

By unanimous consent, action on S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Thursday, February 27, 1997.

S.B. No. 1110:

On motion by Senator Baker, seconded by Senator D. Ige and carried, S.B. No. 1110, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Mizuguchi).

S.B. No. 1885, S.D. 1:

On motion by Senator M. Ige, seconded by Senator Ihara and carried, S.B. No. 1885, 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, 22. Noes, 1 (Anderson). Excused, 2 (Bunda, Mizuguchi).

S.B. No. 107, S.D. 1:

Senator Kawamoto moved that S.B. No. 107, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Anderson rose to speak against the measure as follows:

"Mr. President, I'm going to be voting 'no' on this particular bill. The reason being that this bill did not go to the Ways and Means Committee.

"Having been around here for a while, years ago when we changed the Kona International Airport to Keahole, I found out afterwards that every map, regardless of what, had to be changed from Kona Airport to Keahole Airport. Consequently, the state had some, private business had some, the travel industry had some -- the cost factor was something that we did not look at and consequently after all these years and still hanging around, I am opposed and I will be voting 'no.'

"Thank you very much."

The motion was then put by the Chair and carried, S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Anderson). Excused, 2 (Bunda, Mizuguchi).

S.B. No. 208, S.D. 1:

Senator Fernandes Salling moved that S.B. No. 208, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and stated:

"Mr. President, I certainly want to do what we can do to reduce the tax burden and also to provide incentives for Hawaii companies. While I think the intent of this bill is very positive, I think the actual impact and effect of the bill is going to be negative in that it will not provide any incentives for local businesses but will provide possible incentives for outside businesses. What we really need to do is reduce our overall tax costs here for all businesses doing business in the state. Therefore, I will be voting 'no' on this bill.

"Thank you, Mr. President."

Senator Anderson rose to stated:

"Mr. President, would you please have the Minority Floor Leader's remarks put in the Journal as though they were my own. I, too, will be voting 'no.'"

The motion was then put by the Chair and carried, S.B. No. 208, 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, 2 (Anderson, Slom). Excused, 2 (Bunda, Mizuguchi).

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 554 (Gov. Msg. No. 149):

Senator Chun Oakland moved that Stand. Com. Rep. No. 554 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of CHESTER C. KUNITAKE to the Hawaii Labor Relations Board, term to expire June 30, 1999, seconded by Senator Kanno.

Senator Kanno rose in support of the nominee and stated:

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

"Your Committee on Human Resources held a public hearing on Monday on Gov. Msg. No. 149, nominating Mr. Chester Kunitake to the Hawaii Labor Relations Board.

"Mr. Kunitake holds a bachelor's degree in Personnel and Industrial Relations from the University of Hawaii and has been employed by the Hawaii Government Employees Association for more than 26 years. His community activities include serving as a member of the Board of Directors, Executive Board, and Finance Committee of the Aloha United Way and as a member of the Board of Directors of the Hawaii Foodbank, Inc.

"Your Committee received testimony in support of the nominee from the Director of Human Resources Development,

a member of the Honolulu City Council, a number of executives from the HGEA, the UPW, Pacific Management Consultants, and a private citizen.

"The testimony submitted indicates that he is known as an individual with a strong sense of self-discipline and commitment to excellence in fulfilling his responsibilities. Your Committee further finds that he is also a man of great compassion and understanding and has carried out his responsibilities with integrity, superior judgment, and conviction.

"It's a great pleasure to speak in support of Mr. Kunitake and I urge my colleagues to vote 'aye.'"

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Mizuguchi).

Senator D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, requested a waiver of the 72-hour Notice of a Public Hearing on the following Senate bills: S.B. No. 136, S.B. No. 140, S.B. No. 888, S.B. No. 1019, S.B. No. 1116, S.B. No. 1222 and S.B. No. 1948, and the Chair granted the waiver.

#### **RE-REFERRAL OF SENATE BILL**

The Chair re-referred the following Senate bill that was introduced:

Senate Bill	Referred to:
No. 856	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Commerce, Consumer Protection, and Information Technology

#### **ADJOURNMENT**

At 12:12 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 27, 1997.



## TWENTY-FOURTH DAY

**Thursday, February 27, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Jeff Thomas, Religious Ministries Department, Pearl Harbor Naval Station, after which the Roll was called showing all Senators present.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 172 to 177) were read by the Clerk and were placed on file:

Gov. Msg. No. 172, dated February 7, 1997, transmitting the "Small Business Task Force on Regulatory Relief Report," prepared by the Department of Business, Economic Development, and Tourism, Business Development Division, pursuant to Act 272, SLH 1996.

Gov. Msg. No. 173, dated February 7, 1997, transmitting the Report of the Task Force Reviewing Sterilization of Incapacitated Minors, prepared by the Department of Health in response to S.R. No. 83 (1996).

Gov. Msg. No. 174, dated February 13, 1997, transmitting a report prepared by the University of Hawaii in response to S.R. No. 132 (1996), requesting the coordination of efforts to make University of Hawaii collections available on a systemwide and statewide basis through modern distributed digital storage systems and telecommunications technologies.

Gov. Msg. No. 175, dated February 24, 1997, transmitting the 1995 Annual Report prepared by the Executive Office on Aging.

Gov. Msg. No. 176, dated February 18, 1997, transmitting a report prepared by the Department of Agriculture in response to Act 287, Section 12.1, SLH 1996, requiring the Department of Agriculture to report on the progress of funding of research projects.

Gov. Msg. No. 177, dated February 21, 1997, transmitting the 1996 Annual Report prepared by The Research Corporation of the University of Hawaii pursuant to Section 307-6, HRS.

**DEPARTMENTAL COMMUNICATION**

Dept. Com. No. 16, from the State Auditor dated February 20, 1997, transmitting a report, "Audit of the University of Hawaii at Manoa's Non-Instructional Personnel," (Report No. 97-6), pursuant to Act 287, Section 72.1, SLH 1996, was read by the Clerk and was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 81 to 91) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 81, transmitting H.B. No. 109, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 109, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM PROMOTION AND 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. 82, transmitting H.B. No. 114, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 83, transmitting H.B. No. 147, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," 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. 84, transmitting H.B. No. 419, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 419, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCES," 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. 85, transmitting H.B. No. 580, H.D. 1, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 580, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BUSINESS RESEARCH LIBRARY," 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. 86, transmitting H.B. No. 623, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 623, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 87, transmitting H.B. No. 998, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 998, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC HEALTH CARE SPECIALISTS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 88, transmitting H.B. No. 1320, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1320, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 89, transmitting H.B. No. 1733, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1733, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," 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. 90, transmitting H.B. No. 1762, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1762, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 91, transmitting H.B. No. 2145, which passed Third Reading in the House of Representatives on February 19, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 2145, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT A PROGRAM OF REGIMENTAL DISCIPLINE," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 36 to 44) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 36 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP PLANS AND DESIGNS FOR THE CONSTRUCTION OF A FOYER AT THE OLD KONA AIRPORT STATE RECREATIONAL PARK EVENTS PAVILION."

Offered by: Senator Levin.

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

No. 37 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH SCHOOL ON THE BIG ISLAND."

Offered by: Senator Levin.

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

No. 38 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Judiciary

No. 39 "SENATE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION

TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION."

Offered by: Senator Tam.

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

No. 40 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR."

Offered by: Senators Levin, Solomon.

Referred to: Committee on Economic Development

No. 41 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO MANDATE THE U.S. FEDERAL RESERVE SYSTEM TO ADOPT A FULL EMPLOYMENT POLICY."

Offered by: Senator Chun Oakland, by request.

Referred to: Committee on Human Resources

No. 42 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE INSTITUTE FOR ASTRONOMY AT THE UNIVERSITY OF HAWAII."

Offered by: Senator Chumbley.

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

No. 43 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY."

Offered by: Senator Bunda.

Referred to: Committee on Education

No. 44 "SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM EXAMINE WHETHER FORMER PEACE CORPS VOLUNTEERS SHOULD RECEIVE RETIREMENT SERVICE CREDIT."

Offered by: Senator McCartney.

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

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 8 to 14) were read by the Clerk and were referred to committees:

Senate Resolution

No. 8 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP PLANS AND DESIGNS FOR THE CONSTRUCTION OF A FOYER AT THE OLD KONA AIRPORT STATE RECREATIONAL PARK EVENTS PAVILION."

Offered by: Senator Levin.

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

No. 9 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A JUNIOR RESERVE OFFICER TRAINING CORPS PROGRAM AT KA'U HIGH SCHOOL ON THE BIG ISLAND."

Offered by: Senator Levin.

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

No. 10 "SENATE RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT."

Offered by: Senator Tam.

Referred to: Committee on Education, then to the Committee on Judiciary

No. 11 "SENATE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION."

Offered by: Senator Tam.

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

No. 12 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR."

Offered by: Senators Levin, Solomon.

Referred to: Committee on Economic Development

No. 13 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY."

Offered by: Senator Bunda.

Referred to: Committee on Education

No. 14 "SENATE RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM EXAMINE WHETHER FORMER PEACE CORPS VOLUNTEERS SHOULD RECEIVE RETIREMENT SERVICE CREDIT."

Offered by: Senator McCartney.

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

**STANDING COMMITTEE REPORTS**

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 558) recommending that S.B. No. 910, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 910, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 559) recommending that S.B. No. 138, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and 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," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 560) recommending that S.B. No. 226, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 561) recommending that S.B. No. 656, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and 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," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 562) recommending that S.B. No. 1498, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 563) recommending that S.B. No. 1504 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1504, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 564) recommending that S.B. No. 1507 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No.

1507, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 565) recommending that S.B. No. 1508 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 566) recommending that S.B. No. 1509 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1509, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 567) recommending that S.B. No. 1510 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 568) recommending that S.B. No. 1511 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1511, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 569) recommending that S.B. No. 1513 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1513, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 570) recommending that S.B. No.

1514 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1514, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 571) recommending that S.B. No. 1517 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1517, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 572) recommending that S.B. No. 1518 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1518, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 573) recommending that S.B. No. 1519 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1519, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 574) recommending that S.B. No. 1520, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1520, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 575) recommending that S.B. No. 1523 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1523, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 576) recommending that S.B. No. 1524 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1524, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 577) recommending that S.B. No. 1525 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1525, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 578) recommending that S.B. No. 1531 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1531, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 579) recommending that S.B. No. 1532 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1532, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 580) recommending that S.B. No. 1536, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1536, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 581) recommending that S.B. No. 159 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 159, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Second Reading and was

placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 582) recommending that S.B. No. 1901, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 583) recommending that S.B. No. 1571, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 584) recommending that S.B. No. 1617, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1617, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 585) recommending that S.B. No. 1620 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1620, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 586) recommending that S.B. No. 1621 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1621, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 587) recommending that S.B. No. 560, S.D.1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 587 and S.B. No. 560, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," was deferred until Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 588) recommending that S.B. No. 1300, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 589) recommending that S.B. No. 1556 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1556, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 590) recommending that S.B. No. 835, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 590 and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," was deferred until Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 591) recommending that S.B. No. 1943, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1943, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 592) recommending that S.B. No. 1464, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1464, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 593) recommending that S.B. No. 1222, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 594) recommending that S.B. No.

135, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 595) recommending that S.B. No. 160, S.D.1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 595 and S.B. No. 160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 596) recommending that S.B. No. 161, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 596 and S.B. No. 161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 597) recommending that S.B. No. 193 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 597 and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLE INSURANCE," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 598) recommending that S.B. No. 223 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 598 and S.B. No. 223, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 599) recommending that S.B. No. 512, S.D.1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 599 and S.B. No. 512, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 600) recommending that S.B. No. 680, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 600 and S.B. No. 680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 601) recommending that S.B. No. 984, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 601 and S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 602) recommending that S.B. No. 1303 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 602 and S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 603) recommending that S.B. No. 1363 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 603 and S.B. No. 1363, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was deferred until Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 604) recommending that S.B. No. 1554, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 605) recommending that S.B. No. 382, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 606) recommending that S.B. No. 169, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LICENSE PLATES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 607) recommending that S.B. No. 1160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand. Com. Rep. No. 608) recommending that S.B. No. 1668 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO ON-STREET PARKING STALLS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 609) recommending that S.B. No. 1740 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1740, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 610) recommending that S.B. No. 57 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 611) recommending that S.B. No. 136 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 612) recommending that S.B. No. 888 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 888, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 613) recommending that S.B. No. 1490, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 614) recommending that S.B. No. 1528, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 615) recommending that S.B. No. 1115, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 616) recommending that S.B. No. 1423 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 617) recommending that S.B. No. 1616, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1616, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 618) recommending that the Senate advise and consent to the nominations of the following:

ALTON H. MIYAMOTO to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 151; and

ROBERT K.U. KIHUNE to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, in accordance with Gov. Msg. No. 156.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 618 and Gov. Msg. Nos. 151 and 156 was deferred until Friday, February 28, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 619) recommending that the Senate consent to the nomination of ELWIN P. AHU to the office of Judge, Circuit Court of the First Circuit, 1st Division, for a term of ten years, in accordance

with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 112.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 619 and Gov. Msg. No. 112 was deferred until Friday, February 28, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 620) recommending that the Senate advise and consent to the nomination of KEITH M. KANESHIRO as the Director of Public Safety, in accordance with Gov. Msg. No. 113.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 620 and Gov. Msg. No. 113 was deferred until Friday, February 28, 1997.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

## ORDER OF THE DAY

### THIRD READING

#### MATTERS DEFERRED FROM WEDNESDAY, FEBRUARY 19, 1997

S.B. No. 1624:

On motion by Senator Aki, seconded by Senator Tam and carried, S.B. No. 1624, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1625:

On motion by Senator Aki, seconded by Senator Tam and carried, S.B. No. 1625, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 14, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS' LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

S.B. No. 1385:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 130, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, S.B. No. 130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having



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

Ayes, 24. Noes, 1 (Fernandes Salling).

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill                      Referred to:

No. 139, H.D. 2            Jointly to the Committee on Human Resources and the Committee on Ways and Means

No. 364, H.D. 1            Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

Senator Solomon rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President and my fellow colleagues, you are all aware of the gathering of Native Hawaiians and their supporters on a 24-hour vigil from February 25 to 26 to protest against S.B. No. 8, which attempted to preserve and accommodate the rights of Native Hawaiians to continue to engage in traditional and customary practices on undeveloped land and at the same time provide private landowners with their rights of their property.

"The gathering was well organized, well-meaning and well attended.

"From noon of February 25 to noon of February 26, the Hawaiians danced, chanted, prayed and shared mana'o to express their feeling on this bill. It was an enlightening experience for me.

"Most participants were from hula halaus and actual practitioners of the cultural practices and not the so-called 'activists.'

"The leadership of the gathering felt that this bill was too broad; that consultation just with prominent organizations as the Office of Hawaiian Affairs and the Hawaiian Civic Clubs was inadequate; that there should have been more input from the practitioners themselves.

"Senator Iwase and I were invited to address the gathering before noon of February 26 when more than 1,000 people were gathered. Senator Anderson was also present and I wish to thank him for his presence and moral support.

"We explained to the crowd the purpose of the bill and the implementation process. It was sometimes difficult for us because of vocal interruptions, but I felt that we got the message through, especially to those who had no inkling about the details of the bill. I also think that we conveyed the thought to the Native Hawaiians that this body does care for them.

"The leadership of the hula halaus agreed to the intent of the bill, that is, the rights of Hawaiians to practice their culture be preserved and at the same time respect the right of private landowners on whose land the activities take place. However, they strongly objected to the part of the bill which spells out the requirements to obtain a certificate to engage in activities on private lands.

"In view of the strong, sincere expression of their beliefs on this matter, as well as some of the shortcomings of the bill, Senator Iwase and I recommended deferment of this bill.

"Senate Bill No. 8 went through the legislative process. It was heard by Water, Land and Hawaiian Affairs and in view of

pro and con testimonies, Senate Draft No. 1 was crafted and lateralled to Ways and Means. Meanwhile, this gathering by the people who are vitally affected by the provisions of this bill occurred. Taking into consideration all factors involved, the bill was deferred. This is a good example of the democratic legislative process. I remember, some time ago, we changed the course of a piece of legislation because of a large demonstration of over 5,000 people on the DUI bill.

"In the interim, we hope to find a legislative solution to this matter, that is to preserve the rights of the Native Hawaiians and of the private landowners. This way, it would be the people who make the decision, Mr. President, and not the courts.

"Thank you very much."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I'd like to have the Senator's words put into the Journal as though they were my own. And I do so, not just because I am Hawaiian, but this is the only place that we can go. When you're a Native Hawaiian, this is home. This is the only place to practice your culture. Others can learn and go elsewhere. I can go back to Portugal, for instance, because I'm half-Portuguese, and learn all that I want to about that particular culture, or we can practice here to a minimum of what they may have back in Portugal.

"For that reason I would like to say that I agree with the Senator and I hope that the process will continue and it will be workable for all.

"Thank you very much."

#### ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 28, 1997.

## TWENTY-FIFTH DAY

Friday, February 28, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Clarence L. Fisher, Our Lady of Sorrows Parish, after which the Roll was called showing all Senators present.

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

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

Senator Levin introduced the following individuals from the Council of State Governments: Kent Briggs, Director, CSG-West; Cheryl Duvachelle, Deputy Director, CSG-West; Daniel Sprague, Executive Director, CSG-National; and Senator Jeff Wells, Chair, CSG-National.

Senator Tam then introduced Clarence Lee, who was commissioned by the U.S. Postal Service to design Chinese New Year's stamps for the next 12 years of the Chinese lunar calendar. Mr. Lee was accompanied by his wife, Elsa.

At this time, Senate President Mizuguchi invited Senator Wells to address the members of the Senate and their guests and appointed Senators Taniguchi and Levin to escort him to the rostrum.

Senator Wells delivered his greetings from the Council of State Governments as follows:

"Thank you, Mr. President and members of the Senate. I am Jeff Wells and I do bring you greetings today from my own home state of Colorado and from the Council of State Governments, all 50 states, including yourself.

"We are looking forward, with great pleasure, to having the opportunity to host our Council of State Governments' Meeting in your fine city, right here at the Hilton Hawaiian Village in the first week of December. I need to tell you that at the various meetings that I've gone to across the country -- as chairman of the West and now being chairman of the National Council of State Governments Organization we have the opportunity to go on many different trips -- every place I have gone, the people have told me that they look forward to coming out here to Hawaii in December and to receive your hospitality.

"Your emissaries have preceded you. I have served on the West Trends board for several years with Senator Taniguchi and he is well-respected in that committee. Senator Levin has been a past chairman of the CSG West and therefore all of the western states have regularly seen him. There have been others of you who have been active in this organization and we appreciate your involvement and we look forward to the opportunity of coming here and sharing the various state issues with you.

"I say it that way because all states are different, but they're all essentially the same. I looked in the paper this morning and saw that you were deliberating on your no-fault insurance and we have almost a similar bill going through the State of Colorado right now. So we all face the same issues.

"Again, thank you for your hospitality and we look forward to joining you in December. Thank you."

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 178, dated February 14, 1997, transmitting the Annual Report of the Agribusiness Development Corporation, pursuant to Act 264, SLH 1994, was read by the Clerk and was placed on file.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 45 to 78) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 45 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PUBLIC-PRIVATE HAWAII PRODUCTS BUREAU TO SUPPORT NEW AGRICULTURAL DEVELOPMENT AND MARKETING."

Offered by: Senators McCartney and Ihara, by request.

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

No. 46 "SENATE CONCURRENT RESOLUTION REQUESTING AN INDUSTRY ANALYSIS OF THE ECONOMIC POTENTIAL OF EQUESTRIAN ACTIVITIES."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Education, then to the Committee on Economic Development

No. 47 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW ITS TUITION ASSISTANCE PROGRAM."

Offered by: Senators Ihara and McCartney, by request.

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

No. 48 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF MULTICULTURAL CURRICULUM, AFFIRMATIVE ACTION, AND CIVIL RIGHTS PROGRAMS AND POLICIES IN THE STATE OF HAWAII."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Education

No. 49 "SENATE CONCURRENT RESOLUTION ESTABLISHING A STATEWIDE WORKFORCE DEVELOPMENT PLAN IN TIMES OF BUDGETARY CONSTRAINTS."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Human Resources, then to the Committee on Transportation and Intergovernmental Affairs

No. 50 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO INCORPORATE ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL ADMINISTRATION MEASURES RELATING TO PERSONS WITH DISABILITIES."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 51 "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO JOIN A COALITION OF STATES NOW SUING THE TOBACCO COMPANIES FOR INCREASED COSTS OF LOCAL MEDICAL CARE DUE TO THEIR ALLEGED NEGLIGENT AND DECEPTIVE PRACTICES."

Offered by: Senators Ihara and McCartney, by request.

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

No. 52 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH GUIDELINES FOR THE MED-QUEST PROGRAM."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Human Resources

No. 53 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Health and Environment, then to the Committee on Human Resources

No. 54 "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE PROMOTION OF NONPROFIT HOUSING DEVELOPMENT IN HAWAII."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Government Operations and Housing

No. 55 "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT TO DETERMINE THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING INSURANCE COVERAGE FOR MENTAL ILLNESS EQUAL TO COVERAGE FOR ALL OTHER MEDICAL ILLNESSES."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Health and Environment, then to the Committee on Ways and Means

No. 56 "SENATE CONCURRENT RESOLUTION CALLING FOR SUPPORT OF THE HAWAII OCEAN RESOURCES MANAGEMENT PLAN AND THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY ENVIRONMENTAL IMPACT STATEMENT/MANAGEMENT PLAN."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs

No. 57 "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE EXPEDITED IMPLEMENTATION OF THE SADDLE ROAD REALIGNMENT PROJECT."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 58 "SENATE CONCURRENT RESOLUTION REQUESTING THE PROVISION OF ALTERNATIVE EDUCATION PROGRAMS FOR HIGH SCHOOL STUDENTS."

Offered by: Senators McCartney and Ihara, by request.

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

No. 59 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO SUGGEST STRATEGIES TO DEVELOP AN EDUCATIONAL INDUSTRY IN THE STATE."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Education, then to the Committee on Economic Development

No. 60 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VALUES AND ETHICS PROGRAM."

Offered by: Senators McCartney and Ihara, by request.

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

No. 61 "SENATE CONCURRENT RESOLUTION REQUESTING THAT EDUCATIONAL INSTITUTIONS DEVELOP CURRICULUM THAT EDUCATE STUDENTS ABOUT UNDERREPRESENTED ETHNIC GROUPS."

Offered by: Senators McCartney and Ihara, by request.

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

No. 62 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE THE PROTECTION AND PRESERVATION OF THE STATE'S WETLANDS AND ITS SURROUNDING FASTLANDS, A TOP PRIORITY FOR LAND BANKING PROGRAMS."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 63 "SENATE CONCURRENT RESOLUTION REQUESTING THE PROTECTION OF LAVA TUBE CAVES."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 64 "SENATE CONCURRENT RESOLUTION URGING THE STATE AND THE CITY AND COUNTY OF HONOLULU TO CREATE A PARK ENCOMPASSING THE ENTIRE KA IWI COASTLINE."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 65 "SENATE CONCURRENT RESOLUTION REQUESTING THE PROMOTION AND DEVELOPMENT OF THE HEALTH AND WELLNESS INDUSTRIES."

Offered by: Senators McCartney and Ihara, by request.

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

No. 66 "SENATE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A COMPREHENSIVE RURAL TRANSITION POLICY THAT PROMOTES NEW AND DIVERSIFIED AGRICULTURE IN THE STATE."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Economic Development

No. 67 "SENATE CONCURRENT RESOLUTION CALLING FOR A MORATORIUM ON THE EXCHANGE, SALE, OR OTHER ENCUMBRANCES ON OLD GOVERNMENT ROADS, TRAILS AND NON-VEHICULAR RIGHTS-OF-WAY IN HAWAII."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Water, Land, and Hawaiian Affairs

No. 68 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS TO REINSTATE FREE BORROWING PRIVILEGES AT ALL UNIVERSITY OF HAWAII LIBRARIES FOR HAWAII RESIDENTS."

Offered by: Senators Ihara and McCartney, by request.

Referred to: Committee on Education

No. 69 "SENATE CONCURRENT RESOLUTION SUPPORTING UNIVERSITY OF HAWAII SPORTS PROGRAMS."

Offered by: Senators McCartney and Ihara, by request.

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

No. 70 "SENATE CONCURRENT RESOLUTION REQUESTING ALL COMPANIES THAT DO BUSINESS IN HAWAII TO PRACTICE GOOD CORPORATE RESPONSIBILITY BY HIRING HAWAII RESIDENTS TO THE GREATEST EXTENT POSSIBLE."

Offered by: Senators McCartney and Ihara, by request.

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

No. 71 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN INTERNATIONAL TECHNO-TOURISM POLICY."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Economic Development

No. 72 "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF A PLAN OF ACTION TO MAKE HAWAII THE TELECOMMUNICATIONS HUB OF THE PACIFIC."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Economic Development

No. 73 "SENATE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Economic Development

No. 74 "SENATE CONCURRENT RESOLUTION SUPPORTING IMPLEMENTATION OF EXPEDITED AUTOMATIC BORDER CLEARANCE; EXTENSION OF THE VISA WAIVER PROGRAM; AND ELIMINATION OF VISA REQUIREMENTS WHERE POSSIBLE."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Economic Development

No. 75 "SENATE CONCURRENT RESOLUTION URGING INVESTMENT IN EDUCATION, TRAINING, TECHNOLOGY, AND INFRASTRUCTURE FOR A MORE RESPONSIVE ECONOMIC WORKFORCE."

Offered by: Senators McCartney and Ihara, by request.

Referred to: Committee on Human Resources

No. 76 "SENATE CONCURRENT RESOLUTION REQUESTING THAT A STUDY BE CONDUCTED TO DEVELOP RECOMMENDATIONS ON PROVIDING EARLY RETIREMENT BENEFITS TO COWBOYS."

Offered by: Senator Solomon.

Referred to: Committee on Human Resources

No. 77 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE APPROPRIATE LEGISLATION TO ACHIEVE LONG-TERM PROTECTION AND SUSTAINABILITY OF SALMON IN THE PACIFIC NORTHWEST."

Offered by: Senator Tam.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development

No. 78 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADOPTION OF NEW PARKING STANDARDS TO MEET THE DEMAND FOR INCREASED PARKING IN PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 15 to 17) were read by the Clerk and were referred to committees:

Senate Resolution

No. 15 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE APPROPRIATE LEGISLATION TO ACHIEVE LONG-TERM PROTECTION AND SUSTAINABILITY OF SALMON IN THE PACIFIC NORTHWEST."

Offered by: Senator Tam.

Referred to: Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development

No. 16 "SENATE RESOLUTION REQUESTING THE ADOPTION OF NEW PARKING STANDARDS TO MEET THE DEMAND FOR INCREASED PARKING IN PUBLIC SCHOOLS."

Offered by: Senator Tam.

Referred to: Committee on Education

No. 17 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE THE FEASIBILITY OF ESTABLISHING A COMMUNITY-BASED PROGRAM FOR ADOLESCENTS IN KANEOHE, OAHU, BASED ON THE BOYS AND GIRLS CLUB OF HONOLULU AND LOCATED AT THE SAMUEL WILDER KING INTERMEDIATE SCHOOL ARMORY."

Offered by: Senator Ige, M.

Referred to: Committee on Human Resources, then to the Committee on Education

#### STANDING COMMITTEE REPORTS

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 621) recommending that S.B. No. 1109, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 622) recommending that S.B. No. 1170, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 623) recommending that S.B. No. 1584, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1584, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 624) recommending that S.B. No. 35, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 35, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 625) recommending that S.B. No. 654, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 626) recommending that S.B. No. 246, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 626 and S.B. No. 246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY CONTRACTS," was deferred until Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 627) recommending that S.B. No. 37, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 628) recommending that S.B. No. 1257, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 629) recommending that S.B. No. 1428, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PERMITTING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 630) recommending that S.B. No. 388, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 630 and S.B. No. 388, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO DEGREE GRANTING INSTITUTIONS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 631) recommending that S.B. No. 681, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 631 and S.B. No. 681, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 632) recommending that S.B. No. 682, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 632 and S.B. No. 682, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 633) recommending that S.B. No. 1078, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1078, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 634) recommending that S.B. No. 1114, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 635) recommending that S.B. No. 1116, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 636) recommending that S.B. No. 1118, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 637) recommending that S.B. No. 1153, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 637 and S.B. No. 1153, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 638) recommending that S.B. No. 1361, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 638 and S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 639) recommending that S.B. No. 1495, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1495, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 640) recommending that S.B. No. 1522, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 641) recommending that S.B. No. 1527, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1527, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 642) recommending that S.B. No. 1560, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1560, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 643) recommending that S.B. No. 1561, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 643 and S.B. No. 1561, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 644) recommending that S.B. No. 1778, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICIANS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 645) recommending that S.B. No. 1814, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1814, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 646) recommending that S.B. No. 260 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND OTHER COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 618 (Gov. Msg. Nos. 151 and 156):

Senator Tanaka moved that Stand. Com. Rep. No. 618 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Tanaka then moved that the Senate advise and consent to the nominations of the following:

ALTON H. MIYAMOTO to the Board of Directors, High Technology Development Corporation, term to expire June 30, 1998 (Gov. Msg. No. 151); and

ROBERT K. U. KIHUNE to the Board of Directors, Natural Energy Laboratory of Hawaii Authority, term to expire June 30, 2000 (Gov. Msg. No. 156),

seconded by Senator Taniguchi.

Senator Taniguchi rose in support of the nominees and stated:

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

"Mr. President, Alton H. Miyamoto is a professional electrical engineer who is currently Manager, Planning and Regulatory Affairs, for Citizens Utilities Company, Kauai Electric Division.

"Mr. Robert K. U. Kihune is currently the Chief Executive Officer of Waimana Enterprises, Inc., and is on the Research Advisory Board of CEROS. He was the Executive Director of NELHA (1994-1995) and was awarded DBEDT's 'Manager of the Year' award in 1995.

"Your Committee on Economic Development grilled both of these gentlemen and we are satisfied that they adequately responded to the Committee's inquiries.

"I would urge all members to vote in favor."

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

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

Stand. Com. Rep. No. 619 (Gov. Msg. No. 112):

Senator Chumbley moved that Stand. Com. Rep. No. 619 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate consent to the nomination of ELWIN P. AHU for Judge of the Circuit Court of the First Circuit, 1st Division, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose to speak in support of the nominee and stated:

"Mr. President, Elwin P. Ahu received his B.A. from Graceland College and his J.D. from the William S. Richardson School of Law. Prior to his present position as a District Court Judge, Judge Ahu worked in the Public Defender's office and in private practice. Judge Ahu was most recently Chairperson of the Committee to Review and Revise the Statutes, Rules and Forms Relating to District Court Civil Cases and Civil Procedures which were effective April 1, 1996.

"Further, Judge Ahu's community service includes mediation training at the Neighborhood Justice Center and educating the public about the legal system.

"Testimony was received by your Committee in support of the nominee which indicated that Judge Ahu is dedicated to legal excellence and has the legal skills and ability as well as the judicial temperament necessary to make contributions to the Circuit Court. Testifiers further acknowledged his compassion as well as his balanced and understanding approach in handling the cases before him.

"Finally, Mr. President, your Committee acknowledges and appreciates his selfless commitment to promoting a better understanding in the community about the judicial system.

"I urge my colleagues to consent to this nomination. Thank you."

Senator Solomon also rose in support of the nominee and said:

"Mr. President, I also rise in support of the nominee, and in support of the remarks by the previous speaker.

"I had an opportunity to visit with the nominee and I found him to be compassionate. I found him to be truly a person of what we like to say, 'keiki o ka aina'. I found him to be knowledgeable and understanding and he has come up with balanced resolutions on cultural values and racial issues that this Legislature has been confronted with. He seemed to be very, very responsive.

"And because of that, Mr. President, I'm urging all my colleagues to vote in the affirmative. Thank you."

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

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

At this time, Senator Matsunaga introduced Judge Ahu, who was seated in the gallery with his family. (Judge Ahu rose to be recognized.)

Stand. Com. Rep. No. 620 (Gov. Msg. No. 113):

Senator Chumbley moved that Stand. Com. Rep. No. 620 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of KEITH M. KANESHIRO as the Director of Public Safety, term to expire December 7, 1998, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee as follows:

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

"Upon review of the resume and other background information submitted by the nominee, your Committee finds that Keith M. Kaneshiro graduated from the University of Hawaii, majoring in political science, and received his J.D. degree from California Western School of Law. Mr. Kaneshiro worked as a Deputy Attorney General from 1984 to 1988, and most recently as the Prosecuting Attorney for the City and County of Honolulu from 1989 to 1996. Mr. Kaneshiro was selected for his present position as Director of Public Safety in December 1996. He is also Director of the National Alliance for Model State Drug Laws and served on President Clinton's Commission on Model State Drug Laws in 1993.

"Testimony was submitted to your Committee in support of the nominee which indicated that Mr. Kaneshiro is a dedicated and devoted public servant with the legal expertise, managerial experience, and vision necessary to positively administer the Department of Public Safety and to enhance public safety for the community.

"I urge all my colleagues to consent to this nomination. Thank you."

Senator Aki rose in opposition to the nomination and said:

"Mr. President, I rise to register my opposition to Gov. Msg. No. 113.

"I think this nomination is ill-advised. I do not believe that the nominee has the penal experience nor the qualifications in the penal system, nor does he have the independence that is necessary to lead the Department of Public Safety in these very difficult times.

"So, very briefly, with that I'd like to ask for a 'no' vote on this nomination."

Senator M. Ige also rose in opposition to the nomination as follows:

"Mr. President, based on the comments of my colleague here, can you please register a 'no' vote for myself."

Senator Tam rose and said:

"Mr. President, please register a vote of 'aye with reservations' on this."

Senator Solomon then rose and said:

"Mr. President, also, for myself, an 'aye with reservations.'"

Senator Tanaka added:

"Mr. President, I, too, vote 'aye with reservations.'

Senator Bunda rose and said:

"Mr. President, 'aye with reservations.'

Senator Sakamoto stated:

"Mr. President, similarly, 'aye with reservations.'

Senator Slom rose in opposition and said:

"Mr. President, I vote 'no.' I'm still waiting to hear some of the vision and the independence from the candidate."

Senator Anderson also rose to oppose the nomination and said:

"Mr. President, would you put me down as a 'no,' also. I agree with Senator Aki and because of some administration concerns, I will be voting 'no.'"

Senator McCartney rose to speak in support of the nominee and said:

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

"Mr. President, I've had the pleasure of working with the nominee throughout my career in the State Senate. And the one thing I know about Mr. Kaneshiro is that he has integrity and a commitment to public service, and Keith gets the job done. You can always get straight answers from him; he is dependable and is committed to doing a good job for the people of Hawaii.

"So for those reasons, Mr. President, I support this nomination. Thank you."

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

Ayes, 20. Noes, 4 (Aki, Anderson, Ige, M., Slom). Excused, 1 (Iwase).

Senator Chumbley then introduced Mr. Kaneshiro, who was seated with several family members in the gallery. (Mr. Kaneshiro rose to be recognized.)

At 12:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

Senator Anderson rose on a point of personal privilege and stated:

"Mr. President, I stand on a point of personal privilege.

"I think most of us have been receiving from the governor's office different types of announcements of what's happening in the state. One of them was that we received \$125,000 in contributions for the King Kamehameha celebration. Since we have taken that money out of the budget, I would hope that maybe we could do King Kamehameha's celebration a little backwards. We'll start from Magic Island; we end up at Kamehameha Statue; we then pay homage to our King, and we can go across the street to the palace.

"Kamehameha Day, which has been going on for so long, has been a tourist attraction. And yet we're saying that we're going to cut it out. It was a cultural practice for most of us



when we first started it. And now we're saying we're not going to fund it. And now we're also saying that the \$125,000 ... we should thank these people who are actually benefitting by the celebration that we started. That's one of my concerns.

"The next is the \$13 million contract to Barbers Point. I think this is great but I also wanted to put down where the majority of cargo moving through Barbers Point is liquid and dry products -- commodities such as coal, sand, cement, scrap metal and petroleum products. I want to remind you folks that we buy 650,000 tons of coal every year from Indonesia. And that comes in through Barbers Point on foreign vessels and it gets unloaded like many vessels that come into our harbors that gets unloaded. They're foreign vessels. We have not wanted to do anything to upgrade our harbors. We've done nothing this year for a study to continue. We haven't funded the harbors and looking at a port authority and everything else that we funded last year. This year we're going to cut even though the administration, the departments and everybody said we should go ahead and move this on.

"We have a company, after 150 years, that voted against the sugar act. And yet they own the ships that come into our harbors and keep our costs in a very, very high profile. We figure \$2,000 a year per household because we have to bring them in on an American bottom. We cannot buy the 650,000 tons of coal from Alaska because it's too costly for us to bring it in from Alaska, which is a lot closer.

"I read in the paper that we're going to have a problem with tourism traffic plunging. The U.S. slaps Japan's ships with a \$100,000 per visit levy. Developers sought for pumping station. We have more problems in this state that go on everyday -- things that we should be looking at.

"The HVB is asking for \$10 million. I didn't make the hearing last night, but I did give to one of the Senators all the different logos from different states. We no longer use the Kamehameha logo and some people said, 'Well, there's a cultural problem. Some of the Hawaiians don't like the idea of you exploiting our King.' Well, let me remind you, ladies and gentlemen, we have a state seal; we have Diamond Head; we have the Koolaus. We have many, many aspects in this state that are different than any others. And just to go ahead and try to sell Hawaii in different colors has caused us a problem.

"We all received a fax last night, or yesterday afternoon, that said, 'The tourist industry is having a little difficulty in marketing Hawaii because we have changed our name and we're no longer using a logo, so there's going to be an identification crisis.' Well, what the hell are we paying \$10 million for to market something that is now going to have a hard time? Are we going to be spending the \$10 million, or a good portion of it, to re-identify the islands that we've been so proud of all these years?

"I think, Mr. President, that everyone says, 'There he goes again, talking about the economy.' But I don't think that if we stand here and do not try over and over to remind you that the economy is down, you'll forget. The governor also sent one of these bulletins that said the teachers are behind him because he's going to spend the billion dollars. Well, that's great, but how much is that school going to cost? What is the construction industry really going to get? And whose priorities are they going to be using -- his or ours -- to build that school or cafeteria or whatever is needed? You're going to have to get employees, so it's not a revenue generating type of a business. We have to look at something that's going to be revenue generating. I believe in schools and I believe that the construction industry needs to move forward, but I believe we also have to look at the economy and what's happening.

"If we want to pass something that says we want horse-racing, everybody says you can't do it; it's gambling. We have two states that deny anything against gambling -- us and Utah. So the other 48 are wrong? To make it easier, we did research

and found out we could put a referendum on there, giving the people a chance to vote. That's their right. As far as the Republicans, it has always been our understanding that the people had the right to vote. But now are we saying you can vote against referendums? We don't want the people to have any voice.

"So, I would urge you, look at what we're passing. If there's anyway we can, even in conferences and if we have to piggy-back or whatever the hell we call it, let's move something that has some economic impact to help this state because we're in dire need of it. The business community is having one heck of a problem. Labor is having one heck of a problem. And we're not solving problems.

"When we receive a letter from a school that now says we want a cafeteria and children tell me that they want books, I say great, then let's look at possibly going back to having a book rental fee. We paid it before. I paid to go to school. Free? There's no such thing as a free lunch. Charge a fee and then put that in a special account so that our children will have books and they don't have xeroxed copies. Be innovative, ladies and gentlemen. Try!

"If you lose the next election or I lose the next election but we have done what we honestly believe is fair, then we've done our job.

"Thank you so much for listening to me, Mr. President."

Senator Solomon also rose on a point of personal privilege and stated:

"Mr. President, I also rise on a point of personal privilege, and in support of the previous speaker's remarks, especially those remarks that the speaker had made regarding the \$10 million emergency fund.

"I just would like to state this for the record that I had an opportunity yesterday to visit with the Department of Land and Natural Resources neighbor island board members. They expressed to me their great concern about our aquatic resources, the deplorable conditions that some of our state parks are in, the neglect especially in the public restroom facilities, and the condition of our public trails. The list was quite lengthy and quite in depth and of course, I had to agree with them.

"It comes to mind, Mr. President, that perhaps it would do justice to our communities and to our people that we should start looking at a balanced approach to our tourism industry. As you recall, Mr. President, a few years back (I think it was five or six years back) when the Senate took on a bold position when we posed these questions to DBEDT. When is enough, enough? Is it 10 million tourists? Is it 15 million tourists? As a matter of fact, we considered a survey asking that question to the residents. How would they feel when millions of tourists are now accessing our public beaches and overloading our facilities and we keep on giving more and more money to promote more and more visitors to come. There is no balance. We are not investing dollars that are needed to help improve the product.

"We have overused and exploited every inch of our public recreational areas. We have asked our residents to give up some of the best beaches in the State of Hawaii to accommodate the tourist industry. How much more are we going to bleed our people without giving them something in return? There's more to life, Mr. President, than just jobs. There's aesthetics. I remember, and I'm sure you remember and I'm sure most of my colleagues remember, when we used Waikiki as our own recreational playground when we were growing up. It was a big thrill for us when we came from the neighbor islands to Oahu to go to the zoo and swim at Waikiki. You don't see that happening today, Mr. President.

"And as you know, I just came back from extensive community hearings on the Big Island. At one of the meetings the Honorable Nelson Doi, former Judge and Lieutenant Governor, said, 'You know, Senator, it is a shame when the Democratic Party can't even provide toilet paper in our public restrooms.' And now we have the administration asking us for \$10 million to bring more tourists and we can't even provide a decent lua facility.

"What hurt me is that my parents and I were picnicking at the Old Kona Airport which has one of the few safe beaches in West Hawaii where our kamali'i, our children, can swim. In the next pavilion there were people throwing up and it appeared they had an all-night drunk. We had no security patrolling our beach areas. We had mothers putting their children back into cars to go away from this beach. Is this what we want? Have we deteriorated into these conditions?

"Our administration is so concerned about big plans when, in fact, we have neglected the na'au of our community. Our local people now do not even have a feeling that they're safe when they go to our public beaches and drop off their children. And why? Not enough funds, not enough dollars to maintain and control our beaches. Well, I think we in the Senate should take a bold stand. We should start focussing our energy to malama and protect the product because this is what nurtures all of us, whether kamaainas or tourists.

"And, Mr. President, I'm hoping that through the wisdom of our Ways and Means Committee that we will be able to send a very strong message upstairs that we are sick and tired of just promoting Hawaii for the tourist. How about promoting Hawaii for the kamaaina, for the residents?

"And with that, Mr. President, I want to thank you very much for providing me this opportunity."

#### STANDING COMMITTEE REPORTS

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate bills and House bills pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that Senate bills be placed on the calendar for Third Reading. In consequence thereof, and subsequent to its recessing at 12:29 o'clock p.m., the Senate took the following actions on the following Senate bills and standing committee reports:

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 647) recommending that S.B. No. 12, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 12, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII EMPLOYMENT SECURITY LAW," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 648) recommending that S.B. No. 691, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 691, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION FEES AND COSTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 649) recommending that S.B. No. 1242, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 650) recommending that S.B. No. 26 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 651) recommending that S.B. No. 817, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 817, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 652) recommending that S.B. No. 263, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 652 and S.B. No. 263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACEPTIVE SERVICES," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 653) recommending that S.B. No. 1191, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1191, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 654) recommending that S.B. No. 1487, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 655) recommending that S.B. No. 1516, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1516, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 656) recommending that S.B. No. 1521, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1521, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 657) recommending that S.B. No. 1939, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1939, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 658) recommending that S.B. No. 1575 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1575, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 659) recommending that S.B. No. 1576, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 659 and S.B. No. 1576, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 660) recommending that S.B. No. 248, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 248, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 661) recommending that S.B. No. 300, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 300, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 662) recommending that S.B. No. 1622, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1622, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Economic Development and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 663) recommending that S.B. No. 527, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 663 and S.B. No. 527, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred until Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 664) recommending that S.B. No. 1599, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 665) recommending that S.B. No. 1891, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Solomon and Iwase, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 666) recommending that S.B. No. 633, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 633, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," was deferred until Tuesday, March 4, 1997.

Senators Solomon and Iwase, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com.

Rep. No. 667) recommending that S.B. No. 1016 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1016, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Solomon and Iwase, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 668) recommending that S.B. No. 1598, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 668 and S.B. No. 1598, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, March 4, 1997.

Senators Solomon and Iwase, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 669) recommending that S.B. No. 1611, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 669 and S.B. No. 1611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, March 4, 1997.

Senators Solomon and Iwase, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 670) recommending that S.B. No. 1665, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 671) recommending that S.B. No. 490, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 490, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF HERBICIDES IN PUBLIC PARKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 672) recommending that S.B. No. 1122, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE POLLUTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 673) recommending that S.B. No. 1574, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 673 and S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 674) recommending that S.B. No. 1711, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1711, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, jointly with Senators Chumbley and Matsunaga, for the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 675) recommending that S.B. No. 1113, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 676) recommending that S.B. No. 1117, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 677) recommending that S.B. No. 1247, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC BOARDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 678) recommending that S.B. No. 1499, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1499, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 679) recommending that S.B. No. 1948, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1948, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 680) recommending that S.B. No. 228, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 228, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 681) recommending that S.B. No. 1565, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1565, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 682) recommending that S.B. No. 1736, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 683) recommending that S.B. No. 1954, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1954, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITY TRANSMISSION LINES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 684) recommending that S.B. No. 259, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 259, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT RELATIONS ACT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 685) recommending that S.B. No. 730, as amended in S.D. 1,

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 686) recommending that S.B. No. 734, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 734, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 687) recommending that S.B. No. 736, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 736, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARBITRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 688) recommending that S.B. No. 137 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 137, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 689) recommending that S.B. No. 373 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 690) recommending that S.B. No. 1562 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1562, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 691) recommending that S.B. No. 1794, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1794, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Human Resources and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 692) recommending that S.B. No. 1652, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1652, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 693) recommending that S.B. No. 1286 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1286, entitled: "A BILL FOR AN ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 694) recommending that S.B. No. 346, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 695) recommending that S.B. No. 1267, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1267, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 696) recommending that S.B. No. 823, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 823, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 697) recommending that S.B. No. 328, as amended in S.D. 1, pass

Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 698) recommending that S.B. No. 1657 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 698 and S.B. No. 1657, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX APPEALS TO THE TAX APPEAL COURT," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 699) recommending that S.B. No. 1484, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 699 and S.B. No. 1484, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 700) recommending that S.B. No. 1159 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 700 and S.B. No. 1159, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS CORPORATIONS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 701) recommending that S.B. No. 1197, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 701 and S.B. No. 1197, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 702) recommending that S.B. No. 364, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 702 and S.B. No. 364, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 703) recommending that S.B. No. 986, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 704) recommending that S.B. No. 1546, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 704 and S.B. No. 1546, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 705) recommending that S.B. No. 168, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 705 and S.B. No. 168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESERVATION OF ANTIQUITIES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 706) recommending that S.B. No. 152, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 706 and S.B. No. 152, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 707) recommending that S.B. No. 1750 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and 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," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 708) recommending that S.B. No. 1860 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1860, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 709) recommending that S.B. No. 1357 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1357, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 710) recommending that S.B. No. 1601, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 710 and S.B. No. 1601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711)

recommending that S.B. No. 1057, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 711 and S.B. No. 1057, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712) recommending that S.B. No. 1549, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 712 and S.B. No. 1549, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713) recommending that S.B. No. 1289, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714) recommending that S.B. No. 989, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715) recommending that S.B. No. 1766, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 715 and S.B. No. 1766, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 716) recommending that S.B. No. 1466, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 716 and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 717) recommending that S.B. No. 1098, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1098, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 718) recommending that S.B. No. 1240, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL ACTIVITIES OF CAMPAIGN SPENDING COMMISSIONERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 719) recommending that S.B. No. 1125, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1125, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 720) recommending that S.B. No. 647, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 647, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 721) recommending that S.B. No. 824, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 721 and S.B. No. 824, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 722) recommending that S.B. No. 941, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 722 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," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 723) recommending that S.B. No. 243, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 243, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 724)

recommending that S.B. No. 1033 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1033, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 725) recommending that S.B. No. 285, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 726) recommending that S.B. No. 1310, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 727) recommending that S.B. No. 1064, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1064, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 728) recommending that S.B. No. 1065, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1065, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION OFFENSES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729) recommending that S.B. No. 1066, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1066, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRECINCT OFFICIALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 730)



recommending that S.B. No. 1069, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1069, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 731) recommending that S.B. No. 1070 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1070, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 732) recommending that S.B. No. 1071, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OPENING OF THE ABSENTEE POLLING PLACE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 733) recommending that S.B. No. 1074, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1074, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENCE ADDRESS CONFIDENTIALITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 734) recommending that H.B. No. 455 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and 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," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 735) recommending that S.B. No. 653, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 735 and S.B. No. 653, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO EMPLOYMENT PRACTICES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 736) recommending that S.B. No. 1262 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1262, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SIGNS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 737) recommending that S.B. No. 1588, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 737 and S.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 738) recommending that S.B. No. 1312 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1312, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 739) recommending that S.B. No. 1087, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 739 and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 740) recommending that S.B. No. 1263, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 741) recommending that S.B. No. 718 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 718, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 742) recommending that S.B. No. 231, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES TO MINORS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 743) recommending that S.B. No. 81, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 743 and S.B. No. 81, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 744) recommending that S.B. No. 1597, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 744 and S.B. No. 1597, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES PENALTIES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 745) recommending that S.B. No. 1055 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1055, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 746) recommending that S.B. No. 957, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 746 and S.B. No. 957, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 747) recommending that S.B. No. 209 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 747 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," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 748) recommending that S.B. No. 211 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 749) recommending that S.B. No. 1239, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 749 and S.B. No. 1239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL RIGHTS COMMISSION," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 750) recommending that S.B. No. 5, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 750 and S.B. No. 5, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 751) recommending that S.B. No. 631, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 751 and S.B. No. 631, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 752) recommending that S.B. No. 165, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 752 and S.B. No. 165, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 753) recommending that S.B. No. 870, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 753 and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 754) recommending that S.B. No. 335, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and 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," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 755) recommending that S.B. No. 1923, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1923, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RULES OF EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 756)

recommending that S.B. No. 1589, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 756 and S.B. No. 1589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 757) recommending that S.B. No. 305, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 758) recommending that S.B. No. 321, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OBSCENITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 759) recommending that S.B. No. 818, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 759 and S.B. No. 818, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 760) recommending that S.B. No. 293, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 761) recommending that S.B. No. 333, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 762) recommending that S.B. No. 834 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 834, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 763) recommending that S.B. No. 844, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 844, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 764) recommending that S.B. No. 1053, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1053, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 765) recommending that S.B. No. 1062, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1062, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 766) recommending that S.B. No. 1746, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 767) recommending that S.B. No. 1279, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1279, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 768) recommending that S.B. No. 256 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 256, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 769) recommending that S.B. No. 846, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 769 and S.B. No. 846, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 770) recommending that S.B. No. 1277, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1277, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 771) recommending that S.B. No. 298, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNAUTHORIZED CONTROL OF A PROPELLED VEHICLE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 772) recommending that S.B. No. 1278 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1278, entitled: "A BILL FOR AN ACT RELATING TO HABITUAL THEFT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 773) recommending that S.B. No. 853, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 773 and S.B. No. 853, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 774) recommending that S.B. No. 991, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 774 and S.B. No. 991, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Tuesday, March 4, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 775) recommending that S.B. No. 377, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 775 and S.B. No. 377, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 776) recommending that S.B. No. 286, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 776 and S.B. No. 286, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CRIMINAL DEFENDANTS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 777) recommending that S.B. No. 1353 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 777 and S.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 778) recommending that S.B. No. 838, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 778 and S.B. No. 838, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION AND NOTIFICATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 779) recommending that S.B. No. 1037 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 779 and S.B. No. 1037, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SPECIAL PROSECUTION UNITS AND VICTIM WITNESS PROGRAMS FOR THE COUNTIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 780) recommending that S.B. No. 1264, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 780 and S.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 781) recommending that S.B. No. 1706, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 781 and S.B. No. 1706, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 782) recommending that S.B. No. 1309, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 782 and S.B. No. 1309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 783) recommending that S.B. No. 1269, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 783 and S.B. No. 1269, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 784) recommending that S.B. No. 715, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 784 and S.B. No. 715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 785) recommending that S.B. No. 842, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 785 and S.B. No. 842, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 786) recommending that S.B. No. 722, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 787) recommending that S.B. No. 1314, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 787 and S.B. No. 1314, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL HEALTH CARE ADMINISTRATOR," was deferred until Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 788) recommending that S.B. No. 902, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WAGES AND HOURS OF EMPLOYEES ON PUBLIC WORKS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No.

789) recommending that S.B. No. 1144, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATE BARGAINING UNIT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 790) recommending that S.B. No. 140, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 140, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 791) recommending that S.B. No. 141, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 792) recommending that S.B. No. 952, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 952, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 793) recommending that S.B. No. 1285, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.B. No. 1285, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 794) recommending that S.B. No. 1515, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1515, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed

Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 795) recommending that S.B. No. 1553, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 795 and S.B. No. 1553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," was deferred until Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 796) recommending that S.B. No. 1692, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1692, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 797) recommending that S.B. No. 1812, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1812, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 798) recommending that S.B. No. 1862, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 798 and S.B. No. 1862, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY RATES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799) recommending that S.B. No. 1472, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 799 and S.B. No. 1472, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800) recommending that S.B. No. 146, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 800 and S.B. No. 146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A TRANSIENT OCCUPANCY TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801) recommending that S.B. No. 927, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 927, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802) recommending that S.B. No. 1699, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1699, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803) recommending that S.B. No. 936 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO USE TAX ON IMPORTED SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804) recommending that S.B. No. 147, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 147, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805) recommending that S.B. No. 932, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 932, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WHOLESALE SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806) recommending that S.B. No. 934, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807) recommending that S.B. No. 498, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808) recommending that S.B. No. 843, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 808 and S.B. No. 843, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809) recommending that S.B. No. 635, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 809 and S.B. No. 635, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810) recommending that S.B. No. 207, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 207, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIQUOR TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811) recommending that S.B. No. 1012 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 811 and S.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812) recommending that S.B. No. 1951 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 812 and S.B. No. 1951, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813) recommending that S.B. No. 59 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 59, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 814) recommending that S.B. No. 1316, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 814 and S.B. No. 1316, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815) recommending that S.B. No. 1919, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1919, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816) recommending that S.B. No. 404 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCIAL ADMINISTRATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817) recommending that S.B. No. 799, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 799, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 818) recommending that S.B. No. 940 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 940, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF INCOME TAXES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 819) recommending that S.B. No. 938, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 938, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 820) recommending that S.B. No. 1028, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.B. No. 1028, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 821) recommending that S.B. No. 640, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 640, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 822) recommending that S.B. No. 657, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 823) recommending that S.B. No. 1018, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 823 and S.B. No. 1018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 824) recommending that S.B. No. 375 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 824 and S.B. No. 375, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 825) recommending that S.B. No. 1082, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 825 and S.B. No. 1082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 826) recommending that S.B. No. 1581, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 826 and S.B. No. 1581, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 827) recommending that S.B. No. 1089, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 827 and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 828) recommending that S.B. No. 1088, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 828 and S.B. No. 1088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 829) recommending that S.B. No. 1605, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 829 and S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 830) recommending that S.B. No. 1600, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 830 and S.B. No. 1600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 831) recommending that S.B. No. 447, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 831 and S.B. No. 447, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROADSIDE HERBICIDE USE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 832) recommending that S.B. No. 1579, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 832 and S.B. No. 1579, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 833) recommending that S.B. No. 1631, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 833 and S.B. No. 1631, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 834) recommending that S.B. No. 202, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 834 and S.B. No. 202, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS," was deferred until Tuesday, March 4, 1997.



Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 835) recommending that S.B. No. 257, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 835 and S.B. No. 257, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 836) recommending that S.B. No. 1802, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 836 and S.B. No. 1802, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 837) recommending that S.B. No. 727, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 837 and S.B. No. 727, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 838) recommending that S.B. No. 728, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 838 and S.B. No. 728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 839) recommending that S.B. No. 262, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 839 and S.B. No. 262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 840) recommending that S.B. No. 1653 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 840 and S.B. No. 1653, entitled: "A BILL FOR AN ACT RELATING TO LEAVE SHARING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 841) recommending that S.B. No. 1146 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 841 and S.B. No. 1146, entitled: "A BILL FOR AN ACT RELATING TO WAGE OVERPAYMENTS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 842) recommending that S.B. No. 30 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 842 and S.B. No. 30, entitled: "A BILL FOR AN ACT RELATING

TO PUBLIC EMPLOYEES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 843) recommending that S.B. No. 1143, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 843 and S.B. No. 1143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 844) recommending that S.B. No. 1421, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 844 and S.B. No. 1421, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 845) recommending that S.B. No. 1474, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 845 and S.B. No. 1474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 846) recommending that S.B. No. 1701, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 846 and S.B. No. 1701, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 847) recommending that S.B. No. 1632, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 847 and S.B. No. 1632, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 848) recommending that S.B. No. 1884, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 848 and S.B. No. 1884, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 849) recommending that S.B. No. 538, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 849 and S.B. No. 538, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 850) recommending that S.B. No. 1718 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 850 and S.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 851) recommending that S.B. No. 68, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 851 and S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852) recommending that S.B. No. 1359, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 852 and S.B. No. 1359, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 853) recommending that S.B. No. 760 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 853 and S.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS-WITHIN-SCHOOLS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 854) recommending that S.B. No. 757, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 854 and S.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT-CENTERED SCHOOLS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 855) recommending that S.B. No. 58, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 855 and S.B. No. 58, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 856) recommending that S.B. No. 860, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 856 and S.B. No. 860, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 857) recommending that S.B. No. 1678, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857 and S.B. No. 1678, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 858) recommending that S.B. No. 1742, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 858 and S.B. No. 1742, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 859) recommending that S.B. No. 252, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 859 and S.B. No. 252, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 860) recommending that S.B. No. 1352, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 860 and S.B. No. 1352, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BENEFITS COUNSELORS FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 861) recommending that S.B. No. 1551, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 861 and S.B. No. 1551, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 862) recommending that S.B. No. 1879, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 862 and S.B. No. 1879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 863) recommending that S.B. No. 412, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 863 and S.B. No. 412, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FINANCING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864) recommending that S.B. No. 1433, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 864 and S.B. No. 1433, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TOURISM MARKETING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865) recommending that S.B. No. 1351, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 865 and S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL BENEFITS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866) recommending that S.B. No. 1572, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 866 and S.B. No. 1572, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867) recommending that S.B. No. 497 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 867 and S.B. No. 497, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868) recommending that S.B. No. 944, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 868 and S.B. No. 944, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869) recommending that S.B. No. 251, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 869 and S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870) recommending that S.B. No. 1266, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 870 and S.B. No. 1266, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871) recommending that S.B. No. 1268, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 871 and S.B. No. 1268, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872) recommending that S.B. No. 717, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 872 and S.B. No. 717, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873) recommending that S.B. No. 990, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 873 and S.B. No. 990, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874) recommending that S.B. No. 1418, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 874 and S.B. No. 1418, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875) recommending that S.B. No. 426, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 875 and S.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876) recommending that S.B. No. 1907, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 876 and S.B. No. 1907, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 877) recommending that S.B. No. 1683, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 877 and S.B. No. 1683, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 878) recommending that S.B. No. 1628, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 878 and S.B. No. 1628, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 879) recommending that S.B. No. 1636, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 879 and S.B. No. 1636, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 880) recommending that S.B. No. 1336 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 880 and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 881) recommending that S.B. No. 969 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 881 and S.B. No. 969, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882) recommending that S.B. No. 1548, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 882 and S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 883) recommending that S.B. No. 242, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 883 and S.B. No. 242, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884) recommending that S.B. No. 719, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 884 and S.B. No. 719, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 885) recommending that S.B. No. 831, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 885 and S.B. No. 831, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 886) recommending that S.B. No. 871, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 886 and S.B. No. 871, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 887) recommending that S.B. No. 1372, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 887 and S.B. No. 1372, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 888) recommending that S.B. No. 1806, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 888 and S.B. No. 1806, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS TOURISM DEVELOPMENT, PROMOTION, AND MARKETING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 889) recommending that S.B. No. 1005, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 889 and S.B. No. 1005, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPORTS PROMOTION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 890) recommending that S.B. No. 1171, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 890 and S.B. No. 1171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 891) recommending that S.B. No. 1889, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 891 and S.B. No. 1889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 892) recommending that S.B. No. 1934, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 892 and S.B. No. 1934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF AIRPORT REVENUES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 893) recommending that S.B. No. 632, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 893 and S.B. No. 632, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ENFORCEMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 894) recommending that S.B. No. 1618 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 894 and S.B. No. 1618, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 895) recommending that S.B. No. 1619 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 895 and S.B. No. 1619, entitled: "A BILL FOR AN ACT

RELATING TO PARKING FOR DISABLED PERSONS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 896) recommending that S.B. No. 45, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 896 and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 897) recommending that S.B. No. 1773, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 897 and S.B. No. 1773, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 898) recommending that S.B. No. 1032, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 898 and S.B. No. 1032, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 899) recommending that S.B. No. 1925, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 899 and S.B. No. 1925, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION INSURANCE RATES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 900) recommending that S.B. No. 1859, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 900 and S.B. No. 1859, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT INFORMATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 901) recommending that S.B. No. 961, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 901 and S.B. No. 961, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 902) recommending that S.B. No. 852, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 902 and S.B. No. 852, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

903) recommending that S.B. No. 1535, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 903 and S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 904) recommending that S.B. No. 1924, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 904 and S.B. No. 1924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 905) recommending that S.B. No. 145, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 905 and S.B. No. 145, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION COMPANIES," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 906) recommending that S.B. No. 1874, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 906 and S.B. No. 1874, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 907) recommending that S.B. No. 1470, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 907 and S.B. No. 1470, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 908) recommending that S.B. No. 1302, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 908 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," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 909) recommending that S.B. No. 1881, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 909 and S.B. No. 1881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 910) recommending that S.B. No. 1023, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 910 and S.B. No. 1023, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 911) recommending that S.B. No. 1293, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 911 and S.B. No. 1293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 912) recommending that S.B. No. 406, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 912 and S.B. No. 406, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PLANNING," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 913) recommending that S.B. No. 739, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 913 and S.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR EDUCATION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 914) recommending that S.B. No. 1918, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 914 and S.B. No. 1918, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 915) recommending that S.B. No. 623, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 915 and S.B. No. 623, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 916) recommending that S.B. No. 1506, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 916 and S.B. No. 1506, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 917) recommending that S.B. No. 1732, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917 and S.B. No. 1732, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, March 4, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 918) recommending that S.B. No. 1377, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.B. No. 1377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 4, 1997.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 4, 1997.

## 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 (Metcalf).

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 (Metcalf).

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 (Metcalf).

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.

## TWENTY-SEVENTH DAY

**Thursday, March 6, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Ken Yossa, Religious Ministries Department, Pearl Harbor Naval Station, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

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

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 179, dated January 31, 1997, transmitting the 1995 - 1996 Annual Report prepared by the Public Utilities Commission pursuant to Section 93-12, HRS, was read by the Clerk and was placed on file.

**DEPARTMENTAL COMMUNICATION**

Dept. Com. No. 17, from the State Auditor dated February 28, 1997, transmitting a report, "Audit of the Office of Hawaiian Affairs," (Report No. 97-7), pursuant to Section 10-14.55, HRS, was read by the Clerk and was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 192 to 508) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 192, transmitting H.B. No. 1, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

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

Hse. Com. No. 193, transmitting H.B. No. 2, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," 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. 194, transmitting H.B. No. 4, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 4, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSE PLATES," 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. 195, transmitting H.B. No. 19, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 19, H.D. 2, entitled: "A BILL FOR

AN ACT RELATING TO PARKING STALLS FOR DISABLED PERSONS," 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. 196, transmitting H.B. No. 20, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 20, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," 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. 197, transmitting H.B. No. 22, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 22, 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, then to the Committee on Judiciary.

Hse. Com. No. 198, transmitting H.B. No. 30, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 30, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE INSURANCE," 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. 199, transmitting H.B. No. 33, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 33, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," 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. 200, transmitting H.B. No. 37, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 37, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 201, transmitting H.B. No. 38, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 38, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 202, transmitting H.B. No. 65, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 65, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 203, transmitting H.B. No. 71, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 71, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 204, transmitting H.B. No. 88, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 88, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," 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. 205, transmitting H.B. No. 92, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 92, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 206, transmitting H.B. No. 98, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 98, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF CAPITAL GAINS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 207, transmitting H.B. No. 101, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 101, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," 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. 208, transmitting H.B. No. 102, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 102, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COORDINATED CARE ORGANIZATIONS," passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 209, transmitting H.B. No. 108, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 108, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 210, transmitting H.B. No. 112, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 112, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 211, transmitting H.B. No. 115, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 115, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEEN COURT PROGRAM," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 212, transmitting H.B. No. 116, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 116, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," 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. 213, transmitting H.B. No. 119, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 119, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION," passed First Reading by title and was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

Hse. Com. No. 214, transmitting H.B. No. 120, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 120, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," 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. 215, transmitting H.B. No. 122, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 122, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," 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. 216, transmitting H.B. No. 125, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 125, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 217, transmitting H.B. No. 127, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERIODIC BULLETIN OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Health and Environment.

Hse. Com. No. 218, transmitting H.B. No. 131, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 131, H.D. 2, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

Hse. Com. No. 219, transmitting H.B. No. 132, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 132, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

Hse. Com. No. 220, transmitting H.B. No. 137, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 137, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR 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. 221, transmitting H.B. No. 140, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 140, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 222, transmitting H.B. No. 143, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 143, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 223, transmitting H.B. No. 145, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 145, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 224, transmitting H.B. No. 146, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 146, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF THE LEGISLATIVE ANALYST," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 225, transmitting H.B. No. 167, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 167, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," 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. 226, transmitting H.B. No. 177, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 177, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed First Reading by title and was referred jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 227, transmitting H.B. No. 179, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 179, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 228, transmitting H.B. No. 183, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 183, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," 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. 229, transmitting H.B. No. 233, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 233, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 230, transmitting H.B. No. 248, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 248, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 231, transmitting H.B. No. 258, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 258, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," 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. 232, transmitting H.B. No. 264, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 264, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE WILCOX HEALTH SYSTEM," 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. 233, transmitting H.B. No. 291, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 291, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOLD AND SILVER STAMPING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 234, transmitting H.B. No. 293, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 293, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 235, transmitting H.B. No. 294, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 294, 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. 236, transmitting H.B. No. 345, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 345, 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. 237, transmitting H.B. No. 351, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 351, H.D. 2, 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. 238, transmitting H.B. No. 367, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 367, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," 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. 239, transmitting H.B. No. 371, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 371, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Judiciary.

Hse. Com. No. 240, transmitting H.B. No. 376, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 376, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEARCH AND RESCUE COSTS," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 241, transmitting H.B. No. 387, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 387, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 242, transmitting H.B. No. 396, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 396, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 243, transmitting H.B. No. 397, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 397, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," 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. 244, transmitting H.B. No. 411, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 411, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED STRUCTURES," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary.

Hse. Com. No. 245, transmitting H.B. No. 417, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 417, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 246, transmitting H.B. No. 432, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 432, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 247, transmitting H.B. No. 454, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 454, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary.

Hse. Com. No. 248, transmitting H.B. No. 472, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 472, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 249, transmitting H.B. No. 474, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 474, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 250, transmitting H.B. No. 480, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 480, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE,"

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. 251, transmitting H.B. No. 503, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 503, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 252, transmitting H.B. No. 546, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 546, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC 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. 253, transmitting H.B. No. 551, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 551, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 254, transmitting H.B. No. 581, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 581, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 255, transmitting H.B. No. 582, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 582, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 256, transmitting H.B. No. 585, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR LABOR EDUCATION AND RESEARCH," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 257, transmitting H.B. No. 613, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 613, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES,"

passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 258, transmitting H.B. No. 631, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 631, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Judiciary.

Hse. Com. No. 259, transmitting H.B. No. 636, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 636, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary.

Hse. Com. No. 260, transmitting H.B. No. 646, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 646, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed First Reading by title and was referred jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 261, transmitting H.B. No. 650, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 650, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 262, transmitting H.B. No. 651, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 651, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 263, transmitting H.B. No. 665, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 665, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," 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. 264, transmitting H.B. No. 667, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 667, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," 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. 265, transmitting H.B. No. 692, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES OF CONSUMER GOODS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 266, transmitting H.B. No. 701, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 701, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SECURITY ATTENDANTS," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 267, transmitting H.B. No. 737, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 737, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR URGENT CARE," 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. 268, transmitting H.B. No. 761, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 761, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," 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. 269, transmitting H.B. No. 773, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 773, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 270, transmitting H.B. No. 774, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 774, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.



Hse. Com. No. 271, transmitting H.B. No. 777, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 777, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 272, transmitting H.B. No. 778, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 778, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 273, transmitting H.B. No. 780, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 780, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 274, transmitting H.B. No. 782, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 782, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 275, transmitting H.B. No. 783, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 783, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEGOTIABLE INSTRUMENTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 276, transmitting H.B. No. 784, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 784, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSING OF ARCHITECTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 277, transmitting H.B. No. 786, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 786, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed First Reading by title and was referred to the

Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 278, transmitting H.B. No. 787, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," 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. 279, transmitting H.B. No. 788, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 788, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 280, transmitting H.B. No. 789, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 789, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 281, transmitting H.B. No. 791, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 791, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL PAPER," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 282, transmitting H.B. No. 793, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 793, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 283, transmitting H.B. No. 794, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 794, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 284, transmitting H.B. No. 817, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 817, H.D. 1, 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. 285, transmitting H.B. No. 819, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 819, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN FLOATING ALL-NATURAL CLEAN ENERGY POWER STATION," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 286, transmitting H.B. No. 822, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 822, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS RELATING TO THE PARENT-COMMUNITY NETWORKING CENTERS AND THE FAMILIES FOR R.E.A.L. PROGRAM," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 287, transmitting H.B. No. 867, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 867, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," 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. 288, transmitting H.B. No. 879, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 879, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 289, transmitting H.B. No. 884, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 884, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 290, transmitting H.B. No. 886, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 886, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF THE HIGHER EDUCATION OUTREACH PROGRAM ON THE NEIGHBOR ISLANDS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 291, transmitting H.B. No. 897, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 897, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Government Operations and Housing.

Hse. Com. No. 292, transmitting H.B. No. 912, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 912, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 293, transmitting H.B. No. 939, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 939, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 294, transmitting H.B. No. 952, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 952, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 295, transmitting H.B. No. 963, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 963, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," 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. 296, transmitting H.B. No. 967, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 967, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RECREATION MANAGEMENT," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 297, transmitting H.B. No. 971, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 971, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 298, transmitting H.B. No. 979, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 979, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 299, transmitting H.B. No. 1006, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1006, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 300, transmitting H.B. No. 1023, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1023, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 301, transmitting H.B. No. 1031, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1031, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 302, transmitting H.B. No. 1036, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1036, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME 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. 303, transmitting H.B. No. 1048, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1048, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 304, transmitting H.B. No. 1049, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1049, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 305, transmitting H.B. No. 1086, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1086, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WORK

OPPORTUNITIES," passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 306, transmitting H.B. No. 1087, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1087, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 307, transmitting H.B. No. 1101, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1101, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," 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 Water, Land, and Hawaiian Affairs.

Hse. Com. No. 308, transmitting H.B. No. 1105, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1105, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 309, transmitting H.B. No. 1131, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1131, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY SERVICE," passed First Reading by title and was referred to the Committee on Education.

Hse. Com. No. 310, transmitting H.B. No. 1132, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," passed First Reading by title and was referred to the Committee on Education.

Hse. Com. No. 311, transmitting H.B. No. 1138, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1138, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 312, transmitting H.B. No. 1188, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1188, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME

IN HAWAII," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 313, transmitting H.B. No. 1189, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1189, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 314, transmitting H.B. No. 1190, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1190, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 315, transmitting H.B. No. 1196, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1196, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 316, transmitting H.B. No. 1198, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1198, entitled: "A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 317, transmitting H.B. No. 1208, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1208, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," 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. 318, transmitting H.B. No. 1210, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1210, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," 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. 319, transmitting H.B. No. 1216, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1216, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE

COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 320, transmitting H.B. No. 1218, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1218, H.D. 2, 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. 321, transmitting H.B. No. 1244, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1244, H.D. 2, 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.

Hse. Com. No. 322, transmitting H.B. No. 1246, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1246, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," 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. 323, transmitting H.B. No. 1250, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1250, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," 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. 324, transmitting H.B. No. 1292, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1292, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," 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. 325, transmitting H.B. No. 1300, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1300, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 326, transmitting H.B. No. 1309, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1309, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," passed First Reading by title and was referred to the Committee on Government Operations and

Housing, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 327, transmitting H.B. No. 1329, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1329, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST THE OPERATION OF A MOLOKAI TO MAUI BOAT SERVICE," 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. 328, transmitting H.B. No. 1341, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1341, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 329, transmitting H.B. No. 1351, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1351, H.D. 1, 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. 330, transmitting H.B. No. 1360, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1360, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Human Resources.

Hse. Com. No. 331, transmitting H.B. No. 1365, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1365, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICT USE PERMITS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 332, transmitting H.B. No. 1366, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1366, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICT USE PERMITS," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 333, transmitting H.B. No. 1370, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1370, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," 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. 334, transmitting H.B. No. 1382, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 335, transmitting H.B. No. 1385, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1385, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 336, transmitting H.B. No. 1387, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1387, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 337, transmitting H.B. No. 1388, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1388, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 338, transmitting H.B. No. 1395, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1395, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," passed First Reading by title and was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 339, transmitting H.B. No. 1400, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1400, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 340, transmitting H.B. No. 1406, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1406, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 341, transmitting H.B. No. 1433, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1433, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 342, transmitting H.B. No. 1446, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1446, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 343, transmitting H.B. No. 1450, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1450, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 344, transmitting H.B. No. 1451, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1451, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," 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. 345, transmitting H.B. No. 1453, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," 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. 346, transmitting H.B. No. 1463, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1463, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," 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. 347, transmitting H.B. No. 1473, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1473, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," 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. 348, transmitting H.B. No. 1488, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1488, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 349, transmitting H.B. No. 1498, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1498, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BLUE WATER MARINE LABORATORY," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 350, transmitting H.B. No. 1537, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1537, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 351, transmitting H.B. No. 1538, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1538, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed First Reading by title and was referred jointly to the Committee on Commerce, Consumer Protection, and Information Technology and the Committee on Judiciary.

Hse. Com. No. 352, transmitting H.B. No. 1547, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1547, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," 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. 353, transmitting H.B. No. 1549, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1549, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABELING," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 354, transmitting H.B. No. 1571, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1571, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH TOURISM," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 355, transmitting H.B. No. 1572, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1572, H.D. 1, 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. 356, transmitting H.B. No. 1577, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1577, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER PROJECTS," 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. 357, transmitting H.B. No. 1579, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 358, transmitting H.B. No. 1582, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1582, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 359, transmitting H.B. No. 1585, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1585, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 360, transmitting H.B. No. 1587, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1587, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 361, transmitting H.B. No. 1588, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1588, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 362, transmitting H.B. No. 1589, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1589, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 363, transmitting H.B. No. 1590, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1590, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 364, transmitting H.B. No. 1591, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 365, transmitting H.B. No. 1601, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1601, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 366, transmitting H.B. No. 1604, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1604, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 367, transmitting H.B. No. 1610, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1610, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 368, transmitting H.B. No. 1616, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1616, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," 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. 369, transmitting H.B. No. 1617, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS," 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. 370, transmitting H.B. No. 1618, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1618, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," 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. 371, transmitting H.B. No. 1619, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1619, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," 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. 372, transmitting H.B. No. 1620, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1620, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," 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. 373, transmitting H.B. No. 1623, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1623, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed First Reading by title and was referred to the Committee on Human Resources.

Hse. Com. No. 374, transmitting H.B. No. 1624, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1624, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," passed First Reading by title and was referred to the Committee on Human Resources.

Hse. Com. No. 375, transmitting H.B. No. 1625, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1625, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," passed First Reading by title and was referred jointly to the

Committee on Human Resources and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 376, transmitting H.B. No. 1638, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 377, transmitting H.B. No. 1639, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1639, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 378, transmitting H.B. No. 1644, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1644, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX EXEMPTION OF CERTAIN SCIENTIFIC CONTRACTS WITH THE UNITED STATES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 379, transmitting H.B. No. 1649, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1649, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERJURY," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 380, transmitting H.B. No. 1650, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1650, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 381, transmitting H.B. No. 1654, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1654, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 382, transmitting H.B. No. 1655, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1655, 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. 383, transmitting H.B. No. 1656, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1656, 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. 384, transmitting H.B. No. 1657, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1657, 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. 385, transmitting H.B. No. 1658, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 386, transmitting H.B. No. 1660, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1660, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 387, transmitting H.B. No. 1664, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1664, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 388, transmitting H.B. No. 1673, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1673, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 389, transmitting H.B. No. 1675, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1675, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," 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. 390, transmitting H.B. No. 1686, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1686, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," 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. 391, transmitting H.B. No. 1689, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1689, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS," 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. 392, transmitting H.B. No. 1691, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1691, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," 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. 393, transmitting H.B. No. 1692, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed First Reading by title and was referred jointly to the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 394, transmitting H.B. No. 1694, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1694, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," 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. 395, transmitting H.B. No. 1695, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1695, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," 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. 396, transmitting H.B. No. 1696, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1696, H.D. 1, 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. 397, transmitting H.B. No. 1699, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1699, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," 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. 398, transmitting H.B. No. 1701, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1701, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 399, transmitting H.B. No. 1706, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1706, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING 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. 400, transmitting H.B. No. 1709, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1709, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 401, transmitting H.B. No. 1713, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1713, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," 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. 402, transmitting H.B. No. 1714, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1714, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER 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. 403, transmitting H.B. No. 1715, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1715, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

Hse. Com. No. 404, transmitting H.B. No. 1716, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1716, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," 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. 405, transmitting H.B. No. 1721, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1721, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," 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. 406, transmitting H.B. No. 1724, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1724, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," 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. 407, transmitting H.B. No. 1725, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1725, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed First Reading by title and was referred to the Committee on Human Resources.

Hse. Com. No. 408, transmitting H.B. No. 1730, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1730, H.D. 1, 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. 409, transmitting H.B. No. 1731, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1731, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 410, transmitting H.B. No. 1732, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1732, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," 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. 411, transmitting H.B. No. 1738, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1738, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 412, transmitting H.B. No. 1741, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1741, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCE MANAGEMENT," 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. 413, transmitting H.B. No. 1745, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1745, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 414, transmitting H.B. No. 1749, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1749, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REVIEW OF PROPOSED GOVERNMENT PROJECTS," 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. 415, transmitting H.B. No. 1750, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1750, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 416, transmitting H.B. No. 1752, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1752, H.D. 1, 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. 417, transmitting H.B. No. 1753, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 418, transmitting H.B. No. 1755, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1755, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 419, transmitting H.B. No. 1797, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1797, 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. 420, transmitting H.B. No. 1746, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," 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. 421, transmitting H.B. No. 1747, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1747, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 422, transmitting H.B. No. 1748, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1748, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHO'OLAWA PENALTIES," passed First Reading by title and was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary.

Hse. Com. No. 423, transmitting H.B. No. 1805, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1805, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed First Reading by title and was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Judiciary and the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 424, transmitting H.B. No. 1806, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1806, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," 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. 425, transmitting H.B. No. 1809, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1809, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH 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. 426, transmitting H.B. No. 1812, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1812, H.D. 1, 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. 427, transmitting H.B. No. 1814, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1814, H.D. 1, 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. 428, transmitting H.B. No. 1815, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1815, H.D. 1, 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. 429, transmitting H.B. No. 1817, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1817, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 430, transmitting H.B. No. 1818, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1818, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 431, transmitting H.B. No. 1819, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1819, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 432, transmitting H.B. No. 1824, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1824, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed First Reading by title and was referred jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 433, transmitting H.B. No. 1828, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1828, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," passed First Reading by title and was referred to the Committee on Health and Environment.

Hse. Com. No. 434, transmitting H.B. No. 1829, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1829, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," 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. 435, transmitting H.B. No. 1836, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1836, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," 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. 436, transmitting H.B. No. 1837, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1837, H.D. 2, 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. 437, transmitting H.B. No. 1838, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1838, H.D. 2, 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. 438, transmitting H.B. No. 1839, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1839, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," 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. 439, transmitting H.B. No. 1840, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1840, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," 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. 440, transmitting H.B. No. 1841, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1841, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," 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. 441, transmitting H.B. No. 1842, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1842, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," passed First Reading by title and was referred to the Committee on Health and Environment.

Hse. Com. No. 442, transmitting H.B. No. 1843, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1843, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," 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. 443, transmitting H.B. No. 1852, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1852, H.D. 2, 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. 444, transmitting H.B. No. 1853, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1853, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 445, transmitting H.B. No. 1856, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1856, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 446, transmitting H.B. No. 1859, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1859, H.D. 1, 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.

Hse. Com. No. 447, transmitting H.B. No. 1860, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1860, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 448, transmitting H.B. No. 1861, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1861, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 449, transmitting H.B. No. 1862, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1862, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 450, transmitting H.B. No. 1863, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1863, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," 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. 451, transmitting H.B. No. 1865, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1865, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 452, transmitting H.B. No. 1866, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1866, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM 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. 453, transmitting H.B. No. 1868, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1868, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF 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. 454, transmitting H.B. No. 1869, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1869, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," 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. 455, transmitting H.B. No. 1872, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1872, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," 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. 456, transmitting H.B. No. 1873, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1873, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS," passed First

Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 457, transmitting H.B. No. 1874, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1874, entitled: "A BILL FOR AN ACT RELATING TO PRELICENSING INSPECTIONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 458, transmitting H.B. No. 1875, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1875, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 459, transmitting H.B. No. 1876, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1876, entitled: "A BILL FOR AN ACT RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 460, transmitting H.B. No. 1877, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1877, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 461, transmitting H.B. No. 1878, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1878, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," 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. 462, transmitting H.B. No. 1879, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1879, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 463, transmitting H.B. No. 1880, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1880, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY LICENSURE," passed

First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 464, transmitting H.B. No. 1881, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1881, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 465, transmitting H.B. No. 1882, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1882, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 466, transmitting H.B. No. 1883, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1883, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 467, transmitting H.B. No. 1884, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1884, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 468, transmitting H.B. No. 1885, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1885, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 469, transmitting H.B. No. 1886, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1886, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 470, transmitting H.B. No. 1887, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1887, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF

BARBERING AND COSMETOLOGY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 471, transmitting H.B. No. 1888, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1888, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 472, transmitting H.B. No. 1889, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1889, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 473, transmitting H.B. No. 1890, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1890, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 474, transmitting H.B. No. 1892, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1892, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF BOARD MEMBERS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 475, transmitting H.B. No. 1895, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1895, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS," 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. 476, transmitting H.B. No. 1896, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1896, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES," 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. 477, transmitting H.B. No. 1898, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1898, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 478, transmitting H.B. No. 1899, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1899, H.D. 1, 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. 479, transmitting H.B. No. 1901, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1901, H.D. 2, 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, then to the Committee on Ways and Means.

Hse. Com. No. 480, transmitting H.B. No. 1904, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1904, H.D. 3, 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. 481, transmitting H.B. No. 1906, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1906, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH 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. 482, transmitting H.B. No. 1975, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1975, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORDS," passed First Reading by title and was referred to the Committee on Government Operations and Housing, then to the Committee on Judiciary.

Hse. Com. No. 483, transmitting H.B. No. 1986, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1986, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CITIZENSHIP," 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. 484, transmitting H.B. No. 2008, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2008, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," 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. 485, transmitting H.B. No. 2016, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2016, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII-HILO THEATRE REVOLVING 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. 486, transmitting H.B. No. 2027, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2027, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER REUSE," passed First Reading by title and was referred to the Committee on Health and Environment.

Hse. Com. No. 487, transmitting H.B. No. 2032, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2032, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 488, transmitting H.B. No. 2052, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2052, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 489, transmitting H.B. No. 2065, H.D. 3, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2065, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN SOVEREIGNTY," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 490, transmitting H.B. No. 2082, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2082, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," passed First Reading by title and was referred jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.



Hse. Com. No. 491, transmitting H.B. No. 2120, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2120, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECORDING OF TRANSACTIONS," 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. 492, transmitting H.B. No. 2128, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2128, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 493, transmitting H.B. No. 2137, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2137, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed First Reading by title and was referred to the Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 494, transmitting H.B. No. 2146, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 495, transmitting H.B. No. 2161, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2161, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was referred to the Committee on Education.

Hse. Com. No. 496, transmitting H.B. No. 2163, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2163, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 497, transmitting H.B. No. 2202, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2202, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," 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. 498, transmitting H.B. No. 2220, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," 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. 499, transmitting H.B. No. 2222, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2222, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," 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. 500, transmitting H.B. No. 2232, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2232, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIR 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. 501, transmitting H.B. No. 2238, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2238, H.D. 2, 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. 502, transmitting H.B. No. 2239, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2239, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," passed First Reading by title and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Hse. Com. No. 503, transmitting H.B. No. 2305, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2305, entitled: "A BILL FOR AN ACT RELATING TO FORGERY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 504, transmitting H.B. No. 2308, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2308, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 505, transmitting H.B. No. 1712, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1712, H.D. 1, 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 Water, Land, and Hawaiian Affairs and the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 506, transmitting H.B. No. 1801, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1801, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6 OF THE HAWAII CONSTITUTION TO REPEAL THE EXCESS REVENUE TAX REFUND AND ESTABLISH AN EMERGENCY AND BUDGET STABILIZATION FUND," passed First Reading by title and was referred to the Committee on Ways and Means, then to the Committee on Judiciary.

Hse. Com. No. 507, transmitting H.B. No. 1857, H.D. 1, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 1857, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," passed First Reading by title and was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 508, transmitting H.B. No. 2207, H.D. 2, which passed Third Reading in the House of Representatives on March 4, 1997, was placed on file.

On motion by Senator McCartney, seconded by Senator Slom and carried, H.B. No. 2207, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," 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. 91 to 105) were read by the Clerk and were referred to committees:

**Senate Concurrent Resolution**

No. 91 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INVOLVE THE ADVISORY BOARDS OF THE SMALL BOAT HARBORS BEFORE TAKING ANY FURTHER RULEMAKING ACTION."

Offered by: Senators Tam, Ihara.

Referred to: Committee on Economic Development

No. 92 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO INCREASE THE ALLOWABLE DEDUCTION FOR BUSINESS ENTERTAINMENT EXPENSE FROM THE PRESENT FIFTY PER CENT TO EIGHTY PER CENT FOR PURPOSES OF FEDERAL INCOME TAXATION."

Offered by: Senator Tam.

Referred to: Committee on Ways and Means

No. 93 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ASSESSING THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR ACUPUNCTURE SERVICES."

Offered by: Senator Tam.

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

No. 94 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SEARCH FOR WATER RESOURCES IN SOUTH KONA TO PROVIDE IRRIGATION WATER FOR AGRICULTURAL USERS."

Offered by: Senator Levin.

Referred to: Committee on Water, Land, and Hawaiian Affairs

No. 95 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII YACHT CLUB FOR ITS COMMUNITY AND YOUTH ACTIVITIES AND ITS REQUEST FOR A NEW LEASE WITH THE STATE."

Offered by: Senator Ihara.

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

No. 96 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO SEEK ASSISTANCE FROM THE COUNTY WATER SUPPLY AGENCIES AND UTILITY COMPANIES IN SOLICITING DONATIONS FOR SUPPORT OF PUBLIC LIBRARIES."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education

No. 97 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A JOINT TASK FORCE TO WORK TOWARD INNOVATIVE SOLUTIONS TO HAWAII'S MOST PRESSING LEGAL PROBLEMS."

Offered by: Senator Levin, by request.

Referred to: Committee on Judiciary

No. 98 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REVIEW PROJECT MA'ALO AND MAKE RECOMMENDATIONS WHETHER IT SHOULD BE ESTABLISHED AT THE UNIVERSITY OF HAWAII-HILO OR ELSEWHERE."

Offered by: Senator Levin.

Referred to: Committee on Education

No. 99 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Human Resources and the Committee on Education

No. 100 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER THE ESTABLISHMENT OF A TOLL-FREE TELEPHONE NUMBER FOR REPORTS OF ARCHAEOLOGICAL SITE DISTURBANCE, DESTRUCTION, OR VANDALISM."

Offered by: Senator Levin.

Referred to: Committee on Education, then to the Committee on Water, Land, and Hawaiian Affairs

No. 101 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE A SPECIAL PROJECTS COORDINATOR AND DEVELOPMENT OFFICER."

Offered by: Senator Levin.

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

No. 102 "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF FINANCE TO USE THE FEDERAL LOCATOR SYSTEM FOR UNCLAIMED PROPERTY."

Offered by: Senator Levin.

Referred to: Committee on Ways and Means

No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR MEDICALLY NECESSARY EARLY INTERVENTION OF CHILDREN UP TO THREE YEARS OF AGE."

Offered by: Senator Levin.

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

No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF ARCHAEOLOGISTS."

Offered by: Senator Levin.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER VACATION WITH COMPENSATION TO MINIMIZE THE AMOUNT OF TIME THAT THESE CERTIFICATED PERSONNEL ARE OUT OF THE CLASSROOM AND SCHOOL OFFICE DURING THE REGULAR SCHOOL YEAR."

Offered by: Senator Levin, by request.

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

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 30 to 39) were read by the Clerk and were referred to committees:

Senate Resolution

No. 30 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INVOLVE THE ADVISORY BOARDS OF THE SMALL BOAT HARBORS BEFORE TAKING ANY FURTHER RULEMAKING ACTION."

Offered by: Senators Tam, Ihara.

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

No. 31 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SEARCH FOR WATER RESOURCES IN SOUTH KONA TO PROVIDE IRRIGATION WATER FOR AGRICULTURAL USERS."

Offered by: Senator Levin.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 32 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO SEEK ASSISTANCE FROM THE COUNTY WATER SUPPLY AGENCIES AND UTILITY COMPANIES IN SOLICITING DONATIONS FOR SUPPORT OF PUBLIC LIBRARIES."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education

No. 33 "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A JOINT TASK FORCE TO WORK TOWARD INNOVATIVE SOLUTIONS TO HAWAII'S MOST PRESSING LEGAL PROBLEMS."

Offered by: Senator Levin, by request.

Referred to: Committee on Judiciary

No. 34 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REVIEW PROJECT MA'ALO AND MAKE RECOMMENDATIONS WHETHER IT SHOULD BE ESTABLISHED AT THE UNIVERSITY OF HAWAII-HILO OR ELSEWHERE."

Offered by: Senator Levin.

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

No. 35 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Human Resources and the Committee on Education

No. 36 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONSIDER THE ESTABLISHMENT OF A TOLL-FREE TELEPHONE NUMBER FOR REPORTS OF ARCHAEOLOGICAL SITE DISTURBANCE, DESTRUCTION, OR VANDALISM."

Offered by: Senator Levin.

Referred to: Committee on Education, then to the Committee on Water, Land, and Hawaiian Affairs

No. 37 "SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE A SPECIAL PROJECTS COORDINATOR AND DEVELOPMENT OFFICER."

Offered by: Senator Levin.

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

No. 38 "SENATE RESOLUTION REQUESTING THE DIRECTOR OF FINANCE TO USE THE FEDERAL LOCATOR SYSTEM FOR UNCLAIMED PROPERTY."

Offered by: Senator Levin.

Referred to: Committee on Ways and Means

No. 39 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER VACATION WITH COMPENSATION TO MINIMIZE THE AMOUNT OF TIME THAT THESE CERTIFICATED PERSONNEL ARE OUT OF THE CLASSROOM AND SCHOOL OFFICE DURING THE REGULAR SCHOOL YEAR."

Offered by: Senator Levin, by request.

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

#### SENATE COMMUNICATION

Sen. Com. No. 2, notice to the Governor dated March 6, 1997, transmitting the following Senate bills which propose amendments to the Hawaii State Constitution:

S.B. No. 209;  
S.B. No. 335, S.D. 1;  
S.B. No. 941, S.D. 1;  
S.B. No. 1466, S.D. 1; and  
S.B. No. 1750.

By unanimous consent, the following notice was sent to the Governor:

"March 6, 1997

The Honorable Benjamin J. Cayetano  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Cayetano:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following Senate Bills, a copy of which is attached hereto:

S.B. 209  
'PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE CONSTITUTION, TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS'

S.B. 335, S.D. 1

'PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS'

S.B. 941, S.D. 1

'PROPOSING AMENDMENTS TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF HAWAII, TO ESTABLISH A BUDGET STABILIZATION FUND'

S.B. 1466, S.D. 1

'RELATING TO PUBLIC FUNDS'

S.B. 1750

'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'

Respectfully,

/s/ Paul T. Kawaguchi  
Paul T. Kawaguchi  
Clerk of the Senate"

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"My concern today is with the decision that was made over the past weekend in the Supreme Court case of Konno v. County of Hawaii. I think it has broad implications to this body and to this state.

"Mr. President, I know that in spite of some of the flawed bills this body passed on Tuesday, it is still the intent of the Legislature to find ways to bolster business and economic growth and jobs in our state. Further, I think we all realize that there are many areas of our economy where the government has provided services or functions that compete with, or could be better performed by the private sector.

"In the past, Mr. President, particularly with regard to Baehr v. Lewin, I have questioned the hallowed cranial chambers of the almighty state justices. And again, the judicious be-robed ones have misinterpreted the law as it was intended to have been adjudicated.

"While the Hawaii Revised Statutes Section 76-77(10) expressly states that to avoid the application of civil service laws to public employee positions, those positions must be 'specifically exempted' by another state statute. I believe, Mr. President, that this Legislature has made its intent clear for a number of years, and in other statutes, that the state and counties should have their options open -- even with regards to privatization and other competitive bidding. The idea is to make the delivery of services more competitive and also more cost-efficient. The County of Hawaii, in trying to hire non-civil service employees, seems to have relied upon our legislative intent.

"Is this ruling the death knell for privatization and competitive economic choices in Hawaii? Well, this is where we come in, because if we can exhibit the leadership and the good judgement, then the answer should be NO. We can change the law this session and facilitate public-private partnerships between the state and the private sector. Non-civil service workers need, and deserve jobs too -- even if Gary Rodrigues doesn't represent them. In areas where public services could be delivered by the private sector in a more cost-effective way, state and county administrations should have the freedom -- and the fiscal obligation to the taxpayers -- to make those choices.

"Until we start to pass laws that help and not compete with business in Hawaii, we can expect more Hawaii court victories for those who fear honest competition, merit, choice, and openness in the workplace. Unfortunately, Mr. President, there aren't too many of us in the Legislature who act on the belief that more jobs and more take home pay -- for everyone -- should be Hawaii's first priority. Perhaps more elected officials and leaders should take positive action, and perhaps more would, if they were not subject to some of the political strong-arm tactics or the favors of a few special interests. After all, whether you are a single mom, small business person, a family, a civil service employee, a fast-food worker or even a professional, you know that the state's economy is in trouble, and you know that something must change. When the economy suffers, all of us suffer. It is our responsibility, Mr. President, and the reason the voters sent us here is to facilitate that change.

"Everyone seems to know this except for those leaders who influence public policy through intimidation and fear, and who 'demand' certain things, including the fact that records of convicted criminals be kept secret, and those who believe that laws should be written only to benefit their short-term, self-centered goals. These are the people who harm our economy and all of our citizens, Mr. President. Let's show them that we are not afraid. Let's amend our civil service laws if we must, redirect our thinking, and send a message that the Legislature will not be bullied and that we can act. It's up to us, Mr. President.

"Thank you for this opportunity."

#### ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 7, 1997.

## TWENTY-EIGHTH DAY

Friday, March 7, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Audrey Ching, Chair of the Ministry for Christian Justice of the Hawaii Conference of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga, D. Ige, Solomon, Tanaka and Taniguchi who were excused.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 509 to 512) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 509, transmitting H.C.R. No. 5, H.D. 1, which was adopted by the House of Representatives on March 6, 1997, was placed on file.

By unanimous consent, action on H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO SUBMIT TO THE LEGISLATURE FOR REVIEW A DRAFT OF THE STATE WELFARE PLAN INTENDED FOR SUBMITTAL TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSUANT TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 (PUBLIC LAW 104-193) BEFORE MARCH 31, 1997," was deferred until Monday, March 10, 1997.

Hse. Com. No. 510, transmitting H.B. No. 350, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 511, transmitting H.B. No. 1390, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 1390, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 512, transmitting H.B. No. 2060, H.D. 1, which passed Third Reading in the House of Representatives on March 6, 1997, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.B. No. 2060, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," 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. 106 to 125) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU TO ESTABLISH A CULTURAL INFORMATION CENTER TO PROMOTE THE CULTURES OF THE VARIOUS ETHNIC GROUPS OF HAWAII AND TO WORK WITH THE VARIOUS ETHNIC GROUPS STATEWIDE."

Offered by: Senator Tam.

No. 107 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM TO ASCERTAIN THE COSTS OF ADJUSTING THE POST RETIREMENT ALLOWANCE OF EACH RETIRANT IN THE EMPLOYEES' RETIREMENT SYSTEM IN ACCORDANCE WITH CHANGES IN THE CONSUMER PRICE INDEX FOR THE STATE."

Offered by: Senator Tam.

No. 108 "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS."

Offered by: Senator Tam.

No. 109 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE."

Offered by: Senator Solomon.

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING A REEVALUATION OF HAWAII'S PREPAID HEALTH CARE ACT TO ENSURE A MORE EQUITABLE SHARING OF PREMIUM COSTS BETWEEN EMPLOYERS AND EMPLOYEES."

Offered by: Senator Slom.

No. 111 "SENATE CONCURRENT RESOLUTION URGING RESTRICTIONS ON AERIAL SPRAYING OF PESTICIDES, HERBICIDES, AND INSECTICIDES."

Offered by: Senator Levin.

No. 112 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE WHETHER MINORS SHOULD BE REQUIRED TO OBTAIN PARENTAL PERMISSION BEFORE HAVING THEIR BODIES PIERCED, AND WHETHER THE PRACTICE OF BODY PIERCING SHOULD OTHERWISE BE REGULATED FOR REASONS OF PUBLIC HEALTH AND SAFETY."

Offered by: Senator Levin.

No. 113 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW."

Offered by: Senator Levin.

No. 114 "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO

AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND."

Offered by: Senator Levin.

No. 115 "SENATE CONCURRENT RESOLUTION REQUESTING LOCAL NEWSPAPERS TO PUBLISH A WEEKLY CRIME WATCH REPORT."

Offered by: Senator Levin.

No. 116 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII."

Offered by: Senators Baker, Chumbley, Ige, D., Matsunaga, Metcalf, Taniguchi.

No. 117 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER, SPRING, CHRISTMAS, AND INTERSESSION BREAKS, AND DURING NON-ACADEMIC STUDENT HOURS, WITH COMPENSATION."

Offered by: Senator Tam.

No. 118 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A PLAN, SHORT-TERM OR LONG-TERM, ON ITS OWN OR THROUGH A TASK FORCE, TO REDUCE THE STATEWIDE STUDENT-TEACHER RATIO TO NOT MORE THAN TWENTY STUDENTS TO ONE TEACHER."

Offered by: Senator Tam.

No. 119 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AND MAINTAIN KINDERGARTENS WITH A PROGRAM OF INSTRUCTION IN ALL SCHOOL ZONES, REGARDLESS OF THE NUMBER OF CHILDREN DEEMED ELIGIBLE TO ATTEND, AS A PART OF THE PUBLIC SCHOOL SYSTEM."

Offered by: Senator Tam.

No. 120 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NOT REDUCE THEIR BUDGET FOR REPAIRS AND MAINTENANCE OF FACILITIES."

Offered by: Senator Tam.

No. 121 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION IMPLEMENT A MONITORING SYSTEM TO AID ADMINISTRATORS IN ADMINISTRATING THE DEPARTMENT'S CHAPTER NINETEEN RULES EVENLY AND CONSISTENTLY."

Offered by: Senator Mizuguchi, by request.

No. 122 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP INNOVATIVE MEANS FOR THE MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS."

Offered by: Senator Mizuguchi, by request.

No. 123 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION PROVIDE ONE LAB ASSISTANT FOR EVERY FIVE HUNDRED SCIENCE STUDENTS ENROLLED IN PUBLIC INTERMEDIATE AND HIGH SCHOOLS."

Offered by: Senator Mizuguchi, by request.

No. 124 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RULES AGAINST TEACHER HARASSMENT FROM STUDENTS."

Offered by: Senator Mizuguchi, by request.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ADOPT RULES TO PROVIDE FUNDING FROM THE UNIVERSAL SERVICE FUND FOR ASK-2000, AND TO CONSIDER FUNDING ASK-2000 FOR THE 1997-1999 FISCAL BIENNIUM."

Offered by: Senator Chun Oakland.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 40 to 57) were read by the Clerk and were deferred:

#### Senate Resolution

No. 40 "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU TO ESTABLISH A CULTURAL INFORMATION CENTER TO PROMOTE THE CULTURES OF THE VARIOUS ETHNIC GROUPS OF HAWAII AND TO WORK WITH THE VARIOUS ETHNIC GROUPS STATEWIDE."

Offered by: Senator Tam.

No. 41 "SENATE RESOLUTION REQUESTING THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM TO ASCERTAIN THE COSTS OF ADJUSTING THE POST RETIREMENT ALLOWANCE OF EACH RETIRANT IN THE EMPLOYEES' RETIREMENT SYSTEM IN ACCORDANCE WITH CHANGES IN THE CONSUMER PRICE INDEX FOR THE STATE."

Offered by: Senator Tam.

No. 42 "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS."

Offered by: Senator Tam.

No. 43 "SENATE RESOLUTION REQUESTING A REEVALUATION OF HAWAII'S PREPAID HEALTH CARE ACT TO ENSURE A MORE EQUITABLE SHARING OF PREMIUM COSTS BETWEEN EMPLOYERS AND EMPLOYEES."

Offered by: Senator Slom.

No. 44 "SENATE RESOLUTION URGING RESTRICTIONS ON AERIAL SPRAYING OF PESTICIDES, HERBICIDES, AND INSECTICIDES."

Offered by: Senator Levin.

No. 45 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE WHETHER MINORS SHOULD BE REQUIRED TO OBTAIN PARENTAL PERMISSION BEFORE HAVING THEIR

BODIES PIERCED, AND WHETHER THE PRACTICE OF BODY PIERCING SHOULD OTHERWISE BE REGULATED FOR REASONS OF PUBLIC HEALTH AND SAFETY."

Offered by: Senator Levin.

No. 46 "SENATE RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW."

Offered by: Senator Levin.

No. 47 "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND."

Offered by: Senator Levin.

No. 48 "SENATE RESOLUTION REQUESTING LOCAL NEWSPAPERS TO PUBLISH A WEEKLY CRIME WATCH REPORT."

Offered by: Senator Levin.

No. 49 "SENATE RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII."

Offered by: Senators Baker, Chumbley, Ige, D., Matsunaga, Metcalf, Taniguchi.

No. 50 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER, SPRING, CHRISTMAS, AND INTERSESSION BREAKS, AND DURING NON-ACADEMIC STUDENT HOURS, WITH COMPENSATION."

Offered by: Senator Tam.

No. 51 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A PLAN, SHORT-TERM OR LONG-TERM, ON ITS OWN OR THROUGH A TASK FORCE, TO REDUCE THE STATEWIDE STUDENT-TEACHER RATIO TO NOT MORE THAN TWENTY STUDENTS TO ONE TEACHER."

Offered by: Senator Tam.

No. 52 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH AND MAINTAIN KINDERGARTENS WITH A PROGRAM OF INSTRUCTION IN ALL SCHOOL ZONES, REGARDLESS OF THE NUMBER OF CHILDREN DEEMED ELIGIBLE TO ATTEND, AS A PART OF THE PUBLIC SCHOOL SYSTEM."

Offered by: Senator Tam.

No. 53 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NOT REDUCE THEIR BUDGET FOR REPAIRS AND MAINTENANCE OF FACILITIES."

Offered by: Senator Tam.

No. 54 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION IMPLEMENT A MONITORING SYSTEM TO AID ADMINISTRATORS IN

ADMINISTRATING THE DEPARTMENT'S CHAPTER NINETEEN RULES EVENLY AND CONSISTENTLY."

Offered by: Senator Mizuguchi, by request.

No. 55 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP INNOVATIVE MEANS FOR THE MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS."

Offered by: Senator Mizuguchi, by request.

No. 56 "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION PROVIDE ONE LAB ASSISTANT FOR EVERY FIVE HUNDRED SCIENCE STUDENTS ENROLLED IN PUBLIC INTERMEDIATE AND HIGH SCHOOLS."

Offered by: Senator Mizuguchi, by request.

No. 57 "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RULES AGAINST TEACHER HARASSMENT FROM STUDENTS."

Offered by: Senator Mizuguchi, by request.

#### STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 919) recommending that the Senate advise and consent to the nomination of LORNA A.N. ROSA to the Board of Directors of the Hawaii Hurricane Relief Fund, in accordance with Gov. Msg. No. 148.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 919 and Gov. Msg. No. 148 was deferred until Monday, March 10, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 920) recommending that the Senate advise and consent to the nomination of HOWARD A. OKITA to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 155.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 920 and Gov. Msg. No. 155 was deferred until Monday, March 10, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 921) recommending that the Senate advise and consent to the nomination of GUY H. KAULUKUKUL, Ph.D. to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 158.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 921 and Gov. Msg. No. 158 was deferred until Monday, March 10, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 922) recommending that the Senate advise and consent to the nomination of JACK KELLNER to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 159.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 922 and Gov. Msg. No. 159 was deferred until Monday, March 10, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 923) recommending that the Senate advise and consent to the nomination of STEVEN J.



NISHIMURA to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 147.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 923 and Gov. Msg. No. 147 was deferred until Monday, March 10, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 924) recommending that the Senate advise and consent to the nomination of BENJAMIN SAGUIBO to the Board of Directors, Housing Finance and Development Corporation, in accordance with Gov. Msg. No. 152.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 924 and Gov. Msg. No. 152 was deferred until Monday, March 10, 1997.

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, last evening I was watching television and saw that our governor got on and more or less said that a lot of the problems that are happening in our state are really hard for his administration to be responsible for. The falling yen, tourism from the Mainland dropping and, of course, he has really no control over our shipping.

"Well, in actuality, Mr. President, there are a lot of things that we can take care of. And that kind of disturbed me, but this morning or last evening in the *Star-Bulletin*, I also read 'Exaggerating Hawaii's economic problems.' And they've more or less went along with the governor and said an informed person on Hawaii's economy is not in great shape, but we should be well aware that we're not really bad off. For instance, it says Hawaii's unemployment has only risen by 500. It went to 34,400. And that's not too bad because we're a little below the average on the Mainland. So we're in a little better shape than a lot of the other state, so we shouldn't worry about that.

"Also, 'The state continues to lose jobs -- 2,800 in January' and people are definitely going out of business. But that's not too bad, we shouldn't worry about that. Personal bankruptcies -- yes, we're going like crazy in bankruptcies. But I think overall, they're saying the economy should be overlooked and as long as you have a job, we're not to worry.

"Then I read this morning's paper, Mr. President. We're spending ... let's see how many billions ... I think it was some \$12 billion, plus we have another one-point-something billion that we're going to use for construction. And you and I were here not too long ago when Aileen Anderson was in charge of the budget and she was the billion dollar baby. Today we are at \$13 billion and we're not doing too bad. We're going to increase government a little more, I think, because when I looked at the state budget plan this morning, some of the highlights, priority-wise: education, higher education, health, human services, public safety, environmental protection, transportation, and guess what, economic development and others. Economic development is just a little above other things that we could do. That's planning, Mr. President.

"We have also a letter here, or another piece, that says what we're going to do to make sure that everybody is taken care of. We're going to have a payroll lag that will save us ... this is to make sure that we have assets. The payroll lag will give us \$51.5 million. Reducing the highway funds will give us \$24 million. Repeal of the 1 percent insurance premium tax credit for local companies, that will save us 10.4 million, and hiking the tax on each cigarette from 3 cents to 3.5 cents is another 4 million. That's how we're going to get some of the revenues.

We have some other things that we're going to take away tax credits for to help.

"It also says that Representative Garcia doesn't know how the House Republicans can be opposed to the way the budget is going and then they want more prison space. Well, I think they were talking about privatization. Now, we're going to privatize the marina, and DLNR can do that without going through the Legislature. I checked the law and that can be done. But they don't say which marinas they're taking. Is it ones that are going to be already profitable to the state or are they going to give them the gravy and will they go ahead and take care of others, or is that our responsibility? And can we privatize all of the things that we want?

"I think, Mr. President, that one of the reasons that I came to work today, and I wasn't feeling good and I wasn't going to, is because of my concern. We do have ways to make our state better. We do have to look at the changes that's happening all over the world and get ready for that. I don't care if the problems are in Japan or in Washington or wherever. Whenever we try to say go ahead and look at the future and work towards those goals, we don't do it. We put them off. We don't even know how many slips we're going to build ten years from now. What size those slips are going to be for the harbors. We don't have anything on record that we can say this is a long range plan. Everything we're doing is for the immediate. When the governor says he's building a building, it's a school building. I keep saying I'm for schools; I'm for construction having that building. But you're going to hire the teachers, and you're going to hire the cafeteria people. It's not revenue generating. And to read that we should not worry about it, and that the economy is fine, is not true!

"When I was running for another office, Mr. President, I asked because of the people selling out in Waikiki, T-shirts, couldn't they pay the same as the newspapers pay for their stands. Then I found out they don't pay for the stands. We pay for the sidewalks. That comes from private funds, but that's there to pay for their stands. They don't pay for the space that they're using on the sidewalks. Go down Alakea Street when you're going to Yong Sing or something for a fundraiser, and look at all of the different types of freebies that are out there, and how many square feet that they are taking. They would charge you and me for that, but these others don't have to pay. Any improvements, we pay for.

"So those are the reasons I came in today, Mr. President. Those are some of my frustrations, and I thank you for your time and I thank my colleagues. I didn't run over your lunch hour. Thank you."

#### ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 10, 1997.

## TWENTY-NINTH DAY

Monday, March 10, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Steve Irvin, Pali View Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Tam who was excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 180 to 205) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 180, dated February 25, 1997, transmitting a report prepared by the Department of Health in response to H.C.R. No. 150 (1996), urging the governor to reaffirm the trust responsibility of the state for improving the health status of Hawaiians to the highest possible level, was placed on file.

Gov. Msg. No. 181, dated February 25, 1997, transmitting the Hawaii Paroling Authority's Annual Report, June 30, 1995 - July 1, 1996, pursuant to Chapter 353, HRS, was placed on file.

Gov. Msg. No. 182, submitting for consideration and confirmation to the State Board of Barbers, the nominations of GARY LEE and MILTON Y. MIGITA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 183, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of ANNA C. KAOHELALII, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nominations of WILLIAM T. EMMSLEY, JR., and HARLOW M.S.L. URABE, terms to expire June 30, 1999; C.E. RAGS SCANLAN and JOHN (JACK) F. SULLIVAN, JR., terms to expire June 30, 2000; and KAREN H. IWAMOTO and HELEN Y. RAUER, terms to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Credit Union Advisory Board, the nomination of HIDEO ABE, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of LES S. IHARA, term to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 187, submitting for consideration and confirmation to the Drug Product Selection Board, the nominations of JULIE KUBO, PHARM.D., and JAMES T. MIYAHARA, PH.D., terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 188, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of LANCE H. SHIBATA, term to expire June 30,

2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 189, submitting for consideration and confirmation to the Board of Trustees, Employees' Retirement System, the nomination of TOBIAS (TOBY) M.L. MARTYN, term to expire January, 1, 2003, was referred to the Committee on Human Resources.

Gov. Msg. No. 190, submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of MICHAEL KEN KAWAHARADA, term to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of ALLEN SOUZA, term to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 192, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), the nomination of RAYMOND S. ONO, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 193, submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nominations of: LLOYD F. KAWAKAMI, term to expire June 30, 2000; and IRIS R. OKAWA, term to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 194, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nominations of HENRY N.J. LEE and CATHERINE L. YOZA, terms to expire June 30, 2000, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 195, submitting for consideration and confirmation to the Civil Rights Commission, the nominations of HARRY YEE and FAYE KENNEDY, terms to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 196, submitting for consideration and confirmation to the Board of Trustees, Deferred Compensation Plan, the nominations of RALSTON H. NAGATA and GEORGE M. YASUMOTO, terms to expire, June 30, 2001, was referred to the Committee on Human Resources.

Gov. Msg. No. 197, submitting for consideration and confirmation to the Environmental Council, the nominations of: CYNTHIA D. CHARLTON, term to expire June 30, 1998; and ROGER CASTRO, term to expire June 30, 1999, was referred to the Committee on Health and Environment.

Gov. Msg. No. 198, submitting for consideration and confirmation to the Land Use Commission, the nominations of P. ROY CATALANI, ISAAC FIESTA, JR., and PETER YUKIMURA, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 199, submitting for consideration and confirmation to the Board of Massage Therapy, the nomination of DOUGLAS K. MUKAI, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nominations of WAYNE G. CARVALHO and FRANK

LAFITA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 201, submitting for consideration and confirmation to the Board of Psychology, the nomination of TERRI LYNNE NEEDELS, Ph.D., term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Real Estate Commission, the nomination of JOHN OHAMA, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Rental Housing Trust Fund Commission, the nominations of MARVIN B. AWAYA and EARL S. WAKAMURA, terms to expire June 30, 2001, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 204, dated March 5, 1997, transmitting the 1996 Annual Report and Financial Statements prepared by the Housing Finance and Development Corporation, pursuant to Chapter 201E, HRS, was placed on file.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of GREGORY G.Y. PAI, Ph.D., term to expire June 30, 2002, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 126 to 137) were read by the Clerk and were referred to committees:

**Senate Concurrent Resolution**

No. 126 "SENATE CONCURRENT RESOLUTION URGING INCREASED PROTECTION OF SEA TURTLES."

Offered by: Senator Tam.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UTILIZE THE SERVICES OF NONPROFIT CULTURAL ASSOCIATIONS TO PROMOTE TOURISM."

Offered by: Senator Tam.

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

No. 128 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS."

Offered by: Senators Baker, Ige, D.

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

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING EXAMINATION OF THE ISSUE OF MANDATING PRIVATE SECURITY GUARD TRAINING."

Offered by: Senators Baker, Ige, D.

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

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING THE ADVISORY COMMITTEE ON PESTICIDES TO COORDINATE AND MONITOR THE VOLUNTARY REDUCTION OF PESTICIDE USE BY STATE, FEDERAL, AND COUNTY AGENCIES THROUGH THE USE OF INTEGRATED PEST MANAGEMENT."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER AND IMPLEMENT THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF ARCHAEOLOGISTS."

Offered by: Senator Levin.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 133 "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO PERMIT AND FACILITATE RESEARCH ON THE EFFICACY OF THE MEDICAL USES OF CANNABIS."

Offered by: Senator Levin.

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

No. 134 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE AN ENDANGERED SPECIES TASK FORCE."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs

No. 135 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CREATE A PESTICIDE AND CHEMICAL USE REDUCTION TASK FORCE."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 136 "SENATE CONCURRENT RESOLUTION URGING THAT ALCOHOL AND SUBSTANCE ABUSE COUNSELING AND TREATMENT REFERRAL

PROGRAMS BE AVAILABLE IN EVERY HAWAII HIGH SCHOOL AND THAT COMMUNITY-BASED PROGRAMS BE AVAILABLE ON ALL ISLANDS TO IDENTIFY AND REFER CHILDREN AND YOUTH TO THESE PROGRAMS."

Offered by: Senators Chun Oakland, Kanno.

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

No. 137 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ADOPT RULES TO REQUIRE THAT MEDICAL EXAMINATIONS OR TREATMENT IN WORKERS' COMPENSATION CASES BE GIVEN BY PHYSICIANS WITH EXPERTISE SPECIFIC TO THE EMPLOYEE'S INJURY."

Offered by: Senator Chun Oakland, by request.

Referred to: Committee on Human Resources

### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 58 to 66) were read by the Clerk and were referred to committees:

#### Senate Resolution

No. 58 "SENATE RESOLUTION URGING INCREASED PROTECTION OF SEA TURTLES."

Offered by: Senator Tam.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 59 "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO UTILIZE THE SERVICES OF NONPROFIT CULTURAL ASSOCIATIONS TO PROMOTE TOURISM."

Offered by: Senator Tam.

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

No. 60 "SENATE RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS."

Offered by: Senators Baker, Ige, D.

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

No. 61 "SENATE RESOLUTION REQUESTING EXAMINATION OF THE ISSUE OF MANDATING PRIVATE SECURITY GUARD TRAINING."

Offered by: Senators Baker, Ige, D.

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

No. 62 "SENATE RESOLUTION REQUESTING THE ADVISORY COMMITTEE ON PESTICIDES TO COORDINATE AND MONITOR THE VOLUNTARY REDUCTION OF PESTICIDE USE BY STATE, FEDERAL, AND COUNTY AGENCIES THROUGH THE USE OF INTEGRATED PEST MANAGEMENT."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

No. 63 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER AND IMPLEMENT THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment

No. 64 "SENATE RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT OF THE TRAFFIC VIOLATIONS BUREAU."

Offered by: Senator Ige, M.

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

No. 65 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE AN ENDANGERED SPECIES TASK FORCE."

Offered by: Senator Levin.

Referred to: Jointly to the Committee on Health and Environment and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 66 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CREATE A PESTICIDE AND CHEMICAL USE REDUCTION TASK FORCE."

Offered by: Senator Levin.

Referred to: Committee on Health and Environment, then to the Committee on Economic Development

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 919 (Gov. Msg. No. 148):

Senator Baker moved that Stand. Com. Rep. No. 919 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of LORNA A.N. ROSA to the Board of Directors of the Hawaii Hurricane Relief Fund, term to expire June 30, 1999, seconded by Senator D. Ige.

Senator Baker, at this time, rose to speak in support of the nominees for Gov. Msg. Nos. 148, 155, 158 and 159 as follows:

"Mr. President, I rise to speak in favor of the nominations contained in Gov. Msg. Nos. 148, 155, 158 and 159.

"Mr. President and colleagues, your Committee on Commerce, Consumer Protection and Information Technology diligently questioned the candidates for these positions and found them to be well qualified to fulfill the duties and responsibilities of the respective boards to which they have been nominated. Each candidate brings a wealth of education, experience and skill to these respective positions. Your

committee was most impressed, however, with their commitment and dedication to public service.

"In making its recommendation, Mr. President, your committee was mindful of the importance of the duties that the various boards and commissions have to ensure that licensed professionals are practicing their vocations with the highest standards of integrity and that consumers in the marketplace are well protected. We are confident that the nominees before us will make a positive contribution to these boards and commissions.

"On behalf of Co-chair Senator David Ige, we strongly recommend confirmation of Ms. Lorna A.N. Rosa, Mr. Howard A. Okita, Mr. Guy H. Kaulukukui and Mr. Jack Kellner.

"Unfortunately, none of these nominees could be here with us today, but they send their appreciation for the Senate's favorable consideration of their nomination.

"And with that, I urge all my colleagues to vote in favor of these Governor's Messages. Thank you, Mr. President."

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

Stand. Com. Rep. No. 920 (Gov. Msg. No. 155):

Senator Baker moved that Stand. Com. Rep. No. 920 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of HOWARD A. OKITA to the Motor Vehicle Industry Licensing Board, term to expire June 30, 2000, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

Stand. Com. Rep. No. 921 (Gov. Msg. No. 158):

Senator Baker moved that Stand. Com. Rep. No. 921 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of GUY H. KAULUKUKUI, Ph.D. to the Board of Private Detectives and Guards, term to expire June 30, 1998, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

Stand. Com. Rep. No. 922 (Gov. Msg. No. 159):

Senator Baker moved that Stand. Com. Rep. No. 922 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JACK KELLNER to the Board of Public Broadcasting, term to expire June 30, 2000, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

Stand. Com. Rep. No. 923 (Gov. Msg. No. 147):

Senator Bunda moved that Stand. Com. Rep. No. 923 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Bunda then moved that the Senate advise and consent to the nomination of STEVEN J. NISHIMURA to the Hawaii Housing Authority, terms to expire June 30, 1997 and June 30, 2001, seconded by Senator M. Ige.

Senator Bunda rose in support of the nominee and said:

"Mr. President, I rise to speak in favor of the nominee, Steven Nishimura.

"Mr. Nishimura is from Lihue, Kauai. He's a licensed, certified residential appraiser and real estate salesperson, and he has been the principal owner of his own real property appraisal firm since 1979. He belongs to several professional associations among which are the Appraisal Institute, the Kauai Board of Realtors, the National Association of Realtors and the Foundation of Real Estate Appraisers. Mr. President, he has a lengthy history of volunteerism on Kauai.

"Testimony in support of Mr. Nishimura indicates that since 1996 he has served as an interim Commissioner for the Hawaii Housing Authority and he brings to the commission extensive experience and an insight into real estate appraisal, sales, business development, market conditions relating to housing supply and demand, and an understanding of infrastructure, zoning, development costs, and social needs.

"Mr. President, your committee has questioned the nominee regarding his experience, his personal views on Hawaii's housing issues, on the value of leasehold housing, and his commitment to serving the needy.

"Mr. President, Mr. Nishimura adequately responded to our committee's inquiries and therefore recommends approval from the Senate of Mr. Nishimura to the Hawaii Housing Authority commission. Thank you."

Senator M. Ige then rose and said:

"Mr. President, will the Clerk please register a vote with reservations for myself, please, on Mr. Nishimura, Gov. Msg. No. 147."

The Chair so ordered.

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

Stand. Com. Rep. No. 924 (Gov. Msg. No. 152):

Senator Bunda moved that Stand. Com. Rep. No. 924 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Bunda then moved that the Senate advise and consent to the nomination of BENJAMIN SAGUIBO to the Board of Directors, Housing Finance and Development Corporation, term to expire June 30, 2000, seconded by Senator M. Ige.

Senator Bunda then requested that his remarks in support of the nominee be inserted into the Journal. The Chair having so ordered, Senator Bunda's remarks read as follows:

"Mr. President, I rise to speak in favor of the nomination of Benjamin Saguibo, to the Board of Directors for the Housing Finance and Development Corporation.

"Mr. Saguibo, who grew up in Waialua, has extensive experience in the construction industry. His first union construction job was with Local 368 building military housing at Schofield Barracks. He was appointed union steward, then promoted to laborer foreman. Mr. Saguibo served as a union organizer to Local 368, in various positions.

"Mr. Saguibo has a lengthy history of community and volunteer work. He has served as a member of the Board of Directors for Aloha United Way, the local chapter vice president of the Asian Pacific American Labor Alliance, a trustee for Hawaii Building and Construction Trades Council, a member of the Board of Directors and past president of the Hawaii Construction Industry Association, a member of the Coordination and Program Review Committee of the Hawaii Job Training Coordinating Council, vice president of the Hawaii AFL-CIO, and a member of the Board of Trustees for Palama Settlement.

"Testimony in support of the nominee indicates that he has served as an interim board director, for HFDC since 1996, and that he brings extensive experience and insight to the Board.

"Mr. President, your Committee diligently questioned the nominee regarding his experience, his personal views on Hawaii's housing issues, and on the value of leasehold housing. Your Committee believes that the nominee has adequately responded to the Committee's inquiries and therefore recommends approval from the Senate of Mr. Saguibo to the Board of Directors for the Housing Finance and Development Corporation.

"Thank you, Mr. President."

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

Ayes, 23. Noes, none. Excused, 2 (Metcalf, Tam).

**REFERRAL OF  
HOUSE CONCURRENT RESOLUTION**

**MATTER DEFERRED FROM  
FRIDAY, MARCH 7, 1997**

The Chair referred the following House concurrent resolution that was received:

House  
Concurrent  
Resolution

Referred to:

No. 5, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means

**REFERRAL OF  
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Friday, March 7, 1997:

Senate  
Concurrent  
Resolution

Referred to:

No. 106 Committee on Economic Development, then to the Committee on Ways and Means

No. 107 Committee on Human Resources, then to the Committee on Ways and Means

No. 108 Committee on Health and Environment

No. 109 Committee on Education, then to the Committee on Ways and Means

No. 110 Committee on Human Resources, then to the Committee on Ways and Means

No. 111 Committee on Health and Environment

No. 112 Committee on Health and Environment, then to the Committee on Judiciary

No. 113 Committee on Health and Environment, then to the Committee on Transportation and Intergovernmental Affairs

No. 114 Committee on Health and Environment, then to the Committee on Ways and Means

No. 115 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary

No. 116 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary

No. 117 Committee on Education, then to the Committee on Ways and Means

No. 118 Committee on Education, then to the Committee on Ways and Means

No. 119 Committee on Education, then to the Committee on Ways and Means

No. 120 Committee on Education, then to the Committee on Ways and Means

No. 121 Committee on Education

No. 122 Committee on Education, then to the Committee on Ways and Means

No. 123 Committee on Education, then to the Committee on Ways and Means

No. 124 Committee on Education

No. 125 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Friday, March 7, 1997:

Senate  
Resolution

Referred to:

No. 40 Committee on Economic Development, then to the Committee on Ways and Means

No. 41 Committee on Human Resources, then to the Committee on Ways and Means

No. 42 Committee on Health and Environment

No. 43 Committee on Human Resources, then to the Committee on Ways and Means

No. 44 Committee on Health and Environment

No. 45 Committee on Health and Environment, then to the Committee on Judiciary

No. 46 Committee on Health and Environment,  
then to the Committee on Transportation and Intergovernmental  
Affairs

No. 47 Committee on Health and Environment,  
then to the Committee on Ways and Means

No. 48 Committee on Commerce, Consumer  
Protection, and Information Technology, then to the Committee  
on Judiciary

No. 49 Committee on Commerce, Consumer  
Protection, and Information Technology, then to the Committee  
on Judiciary

No. 50 Committee on Education, then to the  
Committee on Ways and Means

No. 51 Committee on Education, then to the  
Committee on Ways and Means

No. 52 Committee on Education, then to the  
Committee on Ways and Means

No. 53 Committee on Education, then to the  
Committee on Ways and Means

No. 54 Committee on Education

No. 55 Committee on Education, then to the  
Committee on Ways and Means

No. 56 Committee on Education, then to the  
Committee on Ways and Means

No. 57 Committee on Education

At 11:45 o'clock a.m., the Senate stood in recess subject to  
the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

**ADJOURNMENT**

At 11:49 o'clock a.m., on motion by Senator McCartney,  
seconded by Senator Slom and carried, the Senate adjourned  
until 11:30 o'clock a.m., Tuesday, March 11, 1997.

## THIRTIETH DAY

Tuesday, March 11, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Seung Eun Grace Lee, Kahaluu United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senators Ihara, McCartney and Tanaka who were excused.

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

Senator M. Ige, in celebration of Meadow Gold Dairies' 100 years of service to the community, introduced Glenn Muranaka, president and general manager of Meadow Gold Dairies, Inc. Accompanying Mr. Muranaka were Roger and Jenai Wall, Rose Schiltz, Deanna Nakamura, Gretchen Neal, and Stanley Seki.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

## HOUSE COMMUNICATION

Hse. Com. No. 513, returning S.B. No. 175, which passed Third Reading in the House of Representatives on March 10, 1997, in an amended form, was read by the Clerk and was placed on file.

By unanimous consent, action on S.B. No. 175, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Thursday, March 13, 1997.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 138 to 160) were read by the Clerk and were referred to committees or deferred:

## Senate Concurrent Resolution

No. 138 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO CONSIDER SHIFTING A PORTION OF FOREIGN LANGUAGE EDUCATION RESOURCES FROM THE HIGH SCHOOL TO THE ELEMENTARY SCHOOL LEVEL."

Offered by: Senator Tam.

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

No. 139 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU TO ENLIST THE SUPPORT OF THE UNITED CHINESE SOCIETY TO DEVELOP AND DISSEMINATE INFORMATION ON THE CULTURAL AND ETHNIC DIVERSITY OF HAWAII AS A MEANS TO PROMOTE TOURISM IN HAWAII."

Offered by: Senator Tam.

Referred to: Committee on Economic Development

No. 140 "SENATE CONCURRENT RESOLUTION REQUESTING EXAMINATION OF AN ALTERNATIVE HEALTH BENEFITS PLAN."

Offered by: Senator Tam.

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

No. 141 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE TRANSFER OF ADMINISTRATIVE FUNCTIONS OF CERTAIN PUBLIC FACILITIES TO THE OFFICE OF HAWAIIAN AFFAIRS."

Offered by: Senator Solomon.

Referred to: Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 142 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE REVENUE EFFECT OF DOUBLING THE GENERAL EXCISE TAX AND ELIMINATING THE INCOME TAX."

Offered by: Senator Bunda.

Referred to: Committee on Ways and Means

No. 143 "SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE COLLEGE AT THE UNIVERSITY OF HAWAII AT HILO."

Offered by: Senator Bunda.

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

No. 144 "SENATE CONCURRENT RESOLUTION URGING GREATER EFFORT AND DEVOTION OF MORE RESOURCES TOWARD THE TREATMENT AND PREVENTION OF ALCOHOL AND SUBSTANCE ABUSE AMONG HAWAII'S CHILDREN AND YOUTH."

Offered by: Senators Chun Oakland, Kanno.

Referred to: Committee on Health and Environment, then to the Committee on Ways and Means

No. 145 "SENATE CONCURRENT RESOLUTION SUPPORTING THE EXPANSION OF THE DRUG ABUSE RESISTANCE PROGRAM."

Offered by: Senator Mizuguchi, by request.

No. 146 "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII STATEWIDE TRAILS AND ACCESS PROGRAM, OR 'NA ALA HELE.'"

Offered by: Senator Mizuguchi, by request.

No. 147 "SENATE CONCURRENT RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT."

Offered by: Senator Mizuguchi, by request.

No. 148 "SENATE CONCURRENT RESOLUTION REQUESTING THE PAYMENT OF EMERGENCY RESTITUTION TO ELDERLY NATIVE HAWAIIAN BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."



Offered by: Senator Bunda.

No. 149 "SENATE CONCURRENT RESOLUTION REQUESTING A PILOT PROGRAM FOR THE MONITORING OF AQUARIUM FISH COLLECTION."

Offered by: Senator Solomon.

No. 150 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A VISA WAIVER PROGRAM FOR NATIONALS OF THE REPUBLIC OF KOREA."

Offered by: Senator Sakamoto.

No. 151 "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT."

Offered by: Senators Matsunaga, Chumbley, Kanno, Chun Oakland, Metcalf, Baker, Ige, D., McCartney, Ihara.

No. 152 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS."

Offered by: Senator Matsunaga.

No. 153 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS THE NEEDS AND THE PROVISION OF SERVICES AND SHELTER TO MINORS AGES FOURTEEN TO EIGHTEEN WHO ARE VICTIMS OF DOMESTIC VIOLENCE."

Offered by: Senator Matsunaga.

No. 154 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO EXAMINE THE SENIOR HEALTH INSURANCE BENEFITS ADVISORS PROGRAM IN THE STATE OF WASHINGTON AND TO CONSIDER IMPLEMENTING A SIMILAR PROGRAM IN HAWAII."

Offered by: Senator Levin.

No. 155 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS."

Offered by: Senators Levin, Chun Oakland.

No. 156 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO DEVELOP A JOINT BROCHURE TO INFORM CONSUMERS AND PROVIDERS ABOUT ACCESS TO MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES UNDER THE QUEST PROGRAM, INCLUDING THOSE AVAILABLE ON THE ISLAND OF HAWAII."

Offered by: Senators Levin, Chun Oakland.

No. 157 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONDUCT AN INVESTIGATION INTO ALLEGATIONS OF THE STARVATION AND ABUSE OF WILD HORSES IN WAIPIO VALLEY."

Offered by: Senator Levin.

No. 158 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DIRECT ALL STATE EXECUTIVE AGENCIES THAT LEASE OFFICE SPACE TO OTHER STATE AGENCIES TO CEASE THE PRACTICE OF CHARGING THESE OTHER STATE AGENCIES OFFICE RENT, EXCLUDING THEIR PRORATED OPERATING EXPENSES."

Offered by: Senator Tam.

No. 159 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP A STEP-BY-STEP PLAN TO ACCOMPLISH THE HAWAII GOALS FOR EDUCATION."

Offered by: Senator Tam.

No. 160 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE UNIVERSITY OF HAWAII COLLEGE OF BUSINESS ADMINISTRATION'S CURRENT LEVELS OF INSTRUCTION, MANAGEMENT OF RESOURCES, CONTACTS WITH THE BUSINESS COMMUNITY, AND MEANS OF PREPARING AND AIDING GRADUATES IN OBTAINING JOBS."

Offered by: Senator Tam.

**SENATE RESOLUTIONS**

The following resolutions (S.R. Nos. 67 to 82) were read by the Clerk and were referred to committees or deferred:

**Senate Resolution**

No. 67 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO CONSIDER SHIFTING A PORTION OF FOREIGN LANGUAGE EDUCATION RESOURCES FROM THE HIGH SCHOOL TO THE ELEMENTARY SCHOOL LEVEL."

Offered by: Senator Tam.

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

No. 68 "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS AND CONVENTION BUREAU TO ENLIST THE SUPPORT OF THE UNITED CHINESE SOCIETY TO DEVELOP AND DISSEMINATE INFORMATION ON THE CULTURAL AND ETHNIC DIVERSITY OF HAWAII AS A MEANS TO PROMOTE TOURISM IN HAWAII."

Offered by: Senator Tam.

Referred to: Committee on Economic Development

No. 69 "SENATE RESOLUTION REQUESTING EXAMINATION OF AN ALTERNATIVE HEALTH BENEFITS PLAN."

Offered by: Senator Tam.

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

No. 70 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE REVENUE EFFECT OF DOUBLING THE GENERAL EXCISE TAX AND ELIMINATING THE INCOME TAX."

Offered by: Senator Bunda.

Referred to: Committee on Ways and Means

No. 71 "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE COLLEGE AT THE UNIVERSITY OF HAWAII AT HILO."

Offered by: Senator Bunda.

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

No. 72 "SENATE RESOLUTION SUPPORTING THE EXPANSION OF THE DRUG ABUSE RESISTANCE PROGRAM."

Offered by: Senator Mizuguchi, by request.

No. 73 "SENATE RESOLUTION SUPPORTING THE HAWAII STATEWIDE TRAILS AND ACCESS PROGRAM, OR 'NA ALA HELE.'"

Offered by: Senator Mizuguchi, by request.

No. 74 "SENATE RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT."

Offered by: Senator Mizuguchi, by request.

No. 75 "SENATE RESOLUTION REQUESTING THE PAYMENT OF EMERGENCY RESTITUTION TO ELDERLY NATIVE HAWAIIAN BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Offered by: Senator Bunda.

No. 76 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A VISA WAIVER PROGRAM FOR NATIONALS OF THE REPUBLIC OF KOREA."

Offered by: Senator Sakamoto.

No. 77 "SENATE RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT."

Offered by: Senators Matsunaga, Chumbley, Kanno, Chun Oakland, Metcalf, McCartney, Ige, D., Baker, Ihara.

No. 78 "SENATE RESOLUTION REQUESTING THE JUDICIARY TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS."

Offered by: Senator Matsunaga.

No. 79 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO EXAMINE THE SENIOR HEALTH INSURANCE BENEFITS ADVISORS PROGRAM IN THE STATE OF WASHINGTON AND TO CONSIDER IMPLEMENTING A SIMILAR PROGRAM IN HAWAII."

Offered by: Senator Levin.

No. 80 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST PATIENTS AND

THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS."

Offered by: Senators Levin, Chun Oakland.

No. 81 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DIRECT ALL STATE EXECUTIVE AGENCIES THAT LEASE OFFICE SPACE TO OTHER STATE AGENCIES TO CEASE THE PRACTICE OF CHARGING THESE OTHER STATE AGENCIES OFFICE RENT, EXCLUDING THEIR PRORATED OPERATING EXPENSES."

Offered by: Senator Tam.

No. 82 "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO DEVELOP A STEP-BY-STEP PLAN TO ACCOMPLISH THE HAWAII GOALS FOR EDUCATION."

Offered by: Senator Tam.

### STANDING COMMITTEE REPORT

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 925) recommending that S.C.R. No. 30, be referred to the Committee on Ways and Means.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF OCCUPATIONAL THERAPISTS," was referred to the Committee on Ways and Means.

### ORDER OF THE DAY

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 127, H.D. 1	Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Health and Environment
No. 417, H.D. 3	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
No. 454, H.D. 1	Committee on Water, Land, and Hawaiian Affairs
No. 613, H.D. 2	Committee on Water, Land, and Hawaiian Affairs
No. 1893	Committee on Commerce, Consumer Protection, and Information Technology
No. 2082, H.D. 1	Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate  
Concurrent  
Resolution

Referred to:

No. 109  
Affairs

Committee on Water, Land, and Hawaiian

**ADJOURNMENT**

At 11:55 o'clock a.m., on motion by Senator Levin, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 12, 1997.

## THIRTY-FIRST DAY

Wednesday, March 12, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tom Van Culin, St. Matthew's Episcopal Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirtieth Day.

Senator Kawamoto introduced the following representatives of the Advisory Committee on Minority Veterans: Dorothy Pocklington, Chair, Subcommittee on Health; Richard Begay, Native American; Horace Grace, African American; Ron Armstead, African American; Thomas Kaulukukui, Jr., Native Hawaiian/Pacific American; David Cooper, Chair; and Willie Hensley, African American, Director of the Center for Minority Veterans.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 161 to 173) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 161 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A FATHERHOOD TASK FORCE TO PROMOTE STRONG FAMILIES THROUGH POSITIVE FATHERING."

Offered by: Senator Chun Oakland, by request.

No. 162 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH A STATE LIBRARY TASK FORCE."

Offered by: Senator Tam.

No. 163 "SENATE CONCURRENT RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII."

Offered by: Senators Kawamoto, Aki, Bunda, Iwase, Kanno, Mizuguchi.

No. 164 "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU."

Offered by: Senators Kawamoto, Aki, Bunda, Iwase, Kanno, Sakamoto.

No. 165 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHO CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER."

Offered by: Senators Kawamoto, Aki, Bunda, Ige, D., Iwase, Kanno.

No. 166 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE

REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR CONTRACEPTIVE SERVICES."

Offered by: Senator Levin.

No. 167 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTIVE SURGERY."

Offered by: Senator Levin.

No. 168 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF HEALTH INSURANCE COVERAGE FOR MATERNITY."

Offered by: Senator Levin.

No. 169 "SENATE CONCURRENT RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII."

Offered by: Senators Matsunaga, Taniguchi, Aki.

No. 170 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY LIQUOR COMMISSIONS TO REVIEW THE IMPACT OF CURRENT WRITTEN NOTIFICATION REQUIREMENTS FOR TRANSFERS OF CLASS 5 LIQUOR LICENSES."

Offered by: Senator Sakamoto.

No. 171 "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE LIBRARY SYSTEM."

Offered by: Senator Tam.

No. 172 "SENATE CONCURRENT RESOLUTION REQUESTING THE EMPLOYEES' RETIREMENT SYSTEM TO REPORT ON PROGRESS MADE TO REDUCE BACKLOG ON SICK LEAVE ADJUSTMENTS FOR RETIREES."

Offered by: Senator Tam.

No. 173 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE HAWAII STATE LIBRARY BOOK CONTRACT WITH BAKER AND TAYLOR."

Offered by: Senator Tam.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 83 to 89) were read by the Clerk and were deferred:

Senate Resolution

No. 83 "SENATE RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII."

Offered by: Senators Kawamoto, Aki, Iwase, Kanno, Mizuguchi, Sakamoto.

No. 84 "SENATE RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU."

Offered by: Senators Kawamoto, Aki, Bunda, Iwase, Kanno, Sakamoto.

No. 85 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAĀU CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER."

Offered by: Senators Kawamoto, Bunda, Ige, D., Iwase, Kanno.

No. 86 "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO DEVELOP A JOINT BROCHURE TO INFORM CONSUMERS AND PROVIDERS ABOUT ACCESS TO MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES UNDER THE QUEST PROGRAM, INCLUDING THOSE AVAILABLE ON THE ISLAND OF HAWAII."

Offered by: Senators Levin, Chun Oakland.

No. 87 "SENATE RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONDUCT AN INVESTIGATION INTO ALLEGATIONS OF THE STARVATION AND ABUSE OF WILD HORSES IN WAIPĀU VALLEY."

Offered by: Senator Levin.

No. 88 "SENATE RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII."

Offered by: Senators Matsunaga, Taniguchi, Aki.

No. 89 "SENATE RESOLUTION REQUESTING THE COUNTY LIQUOR COMMISSIONS TO REVIEW THE IMPACT OF CURRENT WRITTEN NOTIFICATION REQUIREMENTS FOR TRANSFERS OF CLASS 5 LIQUOR LICENSES."

Offered by: Senator Sakamoto.

**STANDING COMMITTEE REPORTS**

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 926) recommending that H.B. No. 519, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 519, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH" passed Second Reading and was placed on the calendar for Third Reading on Friday, March 14, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 927) recommending that H.B. No. 1717, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1717, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 928) recommending that H.B. No. 1718 pass Second Reading and be referred to the Committee on Judiciary.

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

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 1719 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and 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 Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 930) recommending that S.C.R. No. 38, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT," was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 931) recommending that S.R. No. 10, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 10, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY RELATING TO CAPITAL PUNISHMENT," was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 100, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 100, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE" passed Second Reading and was placed on the calendar for Third Reading on Friday, March 14, 1997.

**ORDER OF THE DAY**

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, March 11, 1997:

Senate Concurrent Resolution	Referred to:
No. 145	Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, then to the Committee on Ways and Means
No. 146	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 147 Committee on Education, then to the Committee on Human Resources

No. 148 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 149 Committee on Economic Development, then to the Committee on Ways and Means

No. 150 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development

No. 151 Committee on Human Resources, then to the Committee on Judiciary

No. 152 Committee on Judiciary

No. 153 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means

No. 154 Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 155 Committee on Health and Environment, then to the Committee on Human Resources

No. 156 Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Ways and Means

No. 157 Committee on Economic Development, then to the Committee on Judiciary

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Tuesday, March 11, 1997:

Senate Resolution Referred to:

No. 72 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Education, then to the Committee on Ways and Means

No. 73 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 74 Committee on Education, then to the Committee on Human Resources

No. 75 Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 76 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Economic Development

No. 77 Committee on Human Resources, then to the Committee on Judiciary

No. 78 Committee on Judiciary

No. 79 Committee on Health and Environment, then to the Committee on Commerce, Consumer Protection, and Information Technology

No. 80 Committee on Health and Environment, then to the Committee on Human Resources

**RE-REFERRAL OF HOUSE BILL**

The Chair re-referred the following House bill that was received:

House Bill Referred to:

No. 1624, H.D. 1 Committee on Human Resources, then to the Committee on Ways and Means

**RE-REFERRAL OF SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate Concurrent Resolution Referred to:

No. 25 Committee on Health and Environment, then to the Committee on Education

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I see in this morning's paper that a permit was okayed for a recycling plant in Waimanalo. We've been working on this for quite a while. We've been meeting with the Department of Health and others. And in this morning's paper it says that 'The state Department of Health is ready to re-issue an operating permit to Unisyn Biowaste Technology, a move that has many Waimanalo residents livid.' It also says that a Mr. John Harder of the Health Department's Solid Waste Management told about 20 residents at a Monday night Waimanalo Neighborhood Board meeting that the permit was going to be granted even though they were opposed to it, and it would be within a month. Then it goes on to say that the state will evaluate that plan after a year to determine if it should be there or not.

"A 'Waimanalo farmer, Jim Andrews accused the Department of Health of ignoring the wishes of the community.'

"Mr. President, we've been working on this for quite a while. There's many, many people in Waimanalo that have been opposed to this. I've got all kinds of documentation. We checked with the laws that are on the books now. There is a bill to allow this to stay there, but composting is already allowable on ag lands.

"Also, I see that the governor or the Department of Land and Natural Resources is going to disallow a Mr. Fuller who has a place called Puamalia. They won't give him any type of commercial activities on his property and it is ag. But they're going to do something like this that's not permissible. It is opposed -- everybody's been opposed to it; it is a commercial enterprise; and it's wrong.

"That's just some of the things this morning, Mr. President, that has me a little frustrated, and you know I normally don't stand on this floor.

"I also read an editorial. And the editorial this morning in the Advertiser says, OHA money; Audit affects negotiations. And if I may just briefly read this: 'A recent audit that praises the investment strategy of the Office of Hawaiian Affairs may turn out to be a mixed blessing. OHA is doing a relatively good job of managing its portfolio, now valued at more than \$245 million .... That's big money.' This goes on to say, '...'

perhaps, to help persuade some lawmakers that OHA no longer needs a steady 20 percent.'

"Let me remind you, Mr. President, that the Advertiser a few years ago sold for \$250 million. And we passed a concurrent resolution in the House, when I was there -- it was my resolution -- asking if, in fact, both newspapers are still after 20 years subject to the Failing Newspaper Act. I thought it was the people's right to know and that also becomes where the newspapers would become competitive. But they fought that. Now it's all right for OHA -- \$245 million is a hell of a lot of money, and so is \$250 million for a failing newspaper.

"Also, Mr. President, while I'm up, I went to a meeting last night. There was a group of people there. It would be easy to sit down and say it's Republicans versus Democrats. And I had all the documentation that I needed as far as the CIPs and what we're looking at and what's wrong with government. But I have a hard time doing that. So I talked about leadership. And one of the things that bothers me about leadership is there is none here. If we have a governor who is looking at our state going down the tubes and he has departments putting small businesses out of business, that's a tragedy. When he can say that a stand alone casino on the Big Island that is tied to a referendum so that the people have a chance to vote, he will veto that -- then that's wrong. He is no longer a legislator that is representing a small district. He represents this state. We represent small districts, but as State Legislators we also look at everything. But for him to say he's going to veto this without even looking at how many jobs it will provide, is it going to be that we can get revenue, to just come out and say I'm going to veto that if it comes across so that the bill dies, is wrong. That's not leadership. Any referendum that we have, I think, is fair for our people.

"For these reasons, I'm standing today, Mr. President. I'm a little frustrated. I know you don't notice that but at times I do get that way. But that's because we do need to move our state to find out that we're lacking another \$250 million and Ways and Means is going to cut and so is the Finance Committee in the House, and the people that we're going to have to make sure try to get some services.

"In WAM one day I turned around and said, if in fact schools are not going to get the money, then maybe we should look at having the children pay a book rental fee. And the head of the Democratic Party said, 'You don't understand, Senator. Our children need books.' Well, I went to school and paid a book rental fee, and I had books. I didn't have xeroxed copies. And that's what's happening now. The DOE and others are utilizing the money elsewhere. Even though we put it in for books, they're not getting it. So maybe with leadership we might need to have all of us look at the possibility of those young people going to a public school, paying a fee for a book rental fee that doesn't have to be outrageously high, and those children that cannot afford to pay -- those are the ones we take care of, not everybody in the whole world. That's the strategy we've been using for years. We have to take care of everybody.

"I also, with my colleague over here, put in a bill for unicameralism. It wasn't Sam Lee's unicameral that he put in the House every year using Vermont. We used Hawaii as a base. We would dump 25 of us. That would be 25 legislators going and all their staff. That's a cut. That's saving some type of government. That's what we have to look at -- How are we going to provide the money needed to run this state?

"I thank you very much for listening, Mr. President. Thank you, colleagues."

#### ADJOURNMENT

At 12:02 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 13, 1997.

## THIRTY-SECOND DAY

**Thursday, March 13, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sandra Hiramatsu, Honpa Hongwanji, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-First Day.

Senator McCartney introduced Satoshi Migita, President of the United States Gateball Federation, and several of the officials from the Hawaii Gateball Association and World Gateball Union.

At 11:49 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.

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 206, dated March 7, 1997, transmitting the State Foundation on Culture and the Arts Report on Federal Funds Received, Budget Proviso Act 218, Section 192, SLH 1995, was read by the Clerk and was placed on file.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 174 to 204) were read by the Clerk and were referred to committees or were deferred:

Senate Concurrent Resolution

No. 174 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 175 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF PROVIDING INSURANCE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE."

Offered by: Senators Baker, Ige, D.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 176 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND INTERPRET CERTAIN FEDERAL REQUIREMENTS REGARDING REAL ESTATE APPRAISALS."

Offered by: Senator Mizuguchi, by request.

Referred to: Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 177 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REPORT ON H.B. NO. 567 (S.B. NO. 1077) RELATING TO REAL PROPERTY LEASES."

Offered by: Senator Mizuguchi, by request.

Referred to: Jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 178 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO PURSUE 'OPEN SKIES' AVIATION NEGOTIATIONS WITH JAPAN, AND TO CONSIDER ALLOWING 'TRIANGLE FLIGHT' ARRANGEMENTS."

Offered by: Senator Mizuguchi.

Referred to: Committee on Transportation and Intergovernmental Affairs

No. 179 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ETHNIC STUDIES DEPARTMENT TO DOCUMENT THE ROLE OF FIREWORKS IN HAWAII IN RELIGIOUS AND CULTURAL PRACTICES AND LOCAL CUSTOMS."

Offered by: Senator Tam.

No. 180 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH CLEAR AND CONSISTENT OBJECTIVES FOR SPECIAL NEEDS SCHOOLS TO GUIDE PROGRAMMING AND BUDGETING DECISIONS."

Offered by: Senator Tam.

No. 181 "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO AFFIRM ITS DEVOTION TO THE CREATION OF AN INCLUSIVE SOCIETY IN WHICH HAWAIIAN AND AMERICAN CITIZENS ARE PROVIDED EQUAL OPPORTUNITIES."

Offered by: Senators Aki, Anderson, Tam.

No. 182 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT A POLICY RELATING TO AN EDUCATIONAL BILL OF RIGHTS FOR HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND CHILDREN."

Offered by: Senators Fernandes Salling, Fukunaga.

No. 183 "SENATE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAEE DISTRICT FLOODING."

Offered by: Senator Aki.

No. 184 "SENATE CONCURRENT RESOLUTION ESTABLISHING A COMMISSION ON THE TWENTY-FIRST CENTURY."

Offered by: Senator Mizuguchi.

No. 185 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RETAIN THE KALIHI-PALAMA FAMILY GUIDANCE CENTER IN KALIHI."



Offered by: Senators Chun Oakland, Metcalf, Tam, Levin, Sakamoto, Mizuguchi.

No. 186 "SENATE CONCURRENT RESOLUTION ENDORSING THE RECOMMENDATIONS OF THE AD HOC COMMITTEE ON DOMESTIC AND SEXUAL VIOLENCE AND REQUESTING ANNUAL PROGRESS REPORTS ON THE DEVELOPMENT AND IMPLEMENTATION OF A COMPREHENSIVE CONTINUUM OF CARE FOR VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE."

Offered by: Senators Chun Oakland, by request, Baker, Chumbley, Fernandes Salling, Fukunaga, Matsunaga.

No. 187 "SENATE CONCURRENT RESOLUTION REQUESTING VARIOUS AGENCIES OF THE STATE TO SPONSOR A JOB FAIR AT THE STATE CAPITOL."

Offered by: Senators Chun Oakland, Kanno, Taniguchi, Tanaka.

No. 188 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HUMAN SERVICES TO BEGIN DEVELOPMENT OF A MEDICAID LONG-TERM CARE DEMONSTRATION PROJECT."

Offered by: Senators Chun Oakland, Kanno, Levin, Metcalf.

No. 189 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO INCORPORATE A REVIEW OF PAPERWORK REDUCTION IN STATE GOVERNMENT WHEN CONDUCTING ALL PROGRAM AUDITS OF STATE DEPARTMENTS."

Offered by: Senator Sakamoto.

No. 190 "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AT MANOA TO TERMINATE EXCLUSIVE FOOD SERVICE PRACTICES ON CAMPUS."

Offered by: Senator Sakamoto.

No. 191 "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSING FINANCE AND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE ATTORNEY GENERAL, TO STUDY THE IMPACT OF INCREASING THE MINIMUM PARCEL SIZE FOR PURPOSES OF THE LAND REFORM ACT."

Offered by: Senator Anderson.

No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTERTAIN OFFERS OF PURCHASE FOR CERTAIN PARCELS OF STATE LAND."

Offered by: Senator Anderson.

No. 193 "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO FACILITATE THE GROWTH OF SMALL BUSINESSES AND THE COMMERCIAL HIGH TECHNOLOGY INDUSTRY IN HAWAII."

Offered by: Senator Anderson.

No. 194 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE TAX INCREMENT FINANCING FOR INFRASTRUCTURE IMPROVEMENTS FOR NEW DEVELOPMENT."

Offered by: Senator Anderson.

No. 195 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONSIDER EXPANDING ITS CAPITAL LOAN PROGRAM UNDER CHAPTER 210, HAWAII REVISED STATUTES."

Offered by: Senator Anderson.

No. 196 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO OFFER LONG-TERM LEASES WITH SPECIAL TERMS FOR COMMERCIAL ENTERPRISES."

Offered by: Senator Anderson.

No. 197 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR EARLY INTERVENTION SERVICES."

Offered by: Senator Levin.

No. 198 "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON PROVIDING IMMUNITY FROM LIABILITY FOR VOLUNTEERS WORKING WITH GOVERNMENT AND NONPROFIT ORGANIZATIONS."

Offered by: Senators Chumbley, Matsunaga.

No. 199 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO REVIEW THE VIABILITY OF DOMESTIC VIOLENCE BATTERER TREATMENT PROGRAMS FOR PERSONS CONVICTED OF OFFENSES INVOLVING THE ABUSE OF A FAMILY OR HOUSEHOLD MEMBER."

Offered by: Senators Matsunaga, Chumbley.

No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT OF PROVIDING BEACH LIABILITY IMMUNITY TO THE COUNTY GOVERNMENTS."

Offered by: Senators Chumbley, Matsunaga.

No. 201 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF EDUCATION TO FORM A PARTNERSHIP TO PROVIDE MORE SPECIALIZED IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL SECURITY ATTENDANTS."

Offered by: Senators Chumbley, Matsunaga, Tam, Bunda, Sakamoto, McCartney, Ige, D., Ihara, Iwase, Aki, Levin, Metcalf, Mizuguchi, Chun Oakland, Baker, Tanaka, Taniguchi, Solomon, Slom, Kanno, Kawamoto, Fukunaga.

No. 202 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE ITS SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT."

Offered by: Senator Taniguchi.

No. 203 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senators Kawamoto, Aki, Chumbley, Kanno, Sakamoto.

No. 204 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CROSSING GATES AND FLASHING SIGNALS AT RAILROAD CROSSINGS."

Offered by: Senators Kawamoto, Aki, Chumbley, Kanno.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 98) were read by the Clerk and were deferred:

Senate Resolution

No. 90 "SENATE RESOLUTION REQUESTING THE COMMITTEE ON EDUCATION TO CONVENE A TASK FORCE TO DEFINE THE ROLES OF TEACHERS, UNIONS, PRINCIPALS, SCHOOL/COMMUNITY-BASED MANAGEMENT SYSTEM COUNCILS, PARENTS, THE BOARD OF EDUCATION, STUDENTS, THE LEGISLATURE, THE UNIVERSITY OF HAWAII, AND THE BUSINESS COMMUNITY IN PUBLIC EDUCATION."

Offered by: Senator Tam.

No. 91 "SENATE RESOLUTION URGING THE LEGISLATURE TO AFFIRM ITS DEVOTION TO THE CREATION OF AN INCLUSIVE SOCIETY IN WHICH HAWAIIAN AND AMERICAN CITIZENS ARE PROVIDED EQUAL OPPORTUNITIES."

Offered by: Senators Aki, Anderson, Tam.

No. 92 "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT A POLICY RELATING TO AN EDUCATIONAL BILL OF RIGHTS FOR HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND CHILDREN."

Offered by: Senators Fernandes Salling, Fukunaga.

No. 93 "SENATE RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAE DISTRICT FLOODING."

Offered by: Senator Aki.

No. 94 "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII AT MANOA TO TERMINATE EXCLUSIVE FOOD SERVICE PRACTICES ON CAMPUS."

Offered by: Senator Sakamoto.

No. 95 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF EDUCATION TO FORM A PARTNERSHIP TO PROVIDE MORE SPECIALIZED IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL SECURITY ATTENDANTS."

Offered by: Senators Chumbley, Matsunaga, Tam, Bunda, Sakamoto, McCartney, Ige, D., Ihara, Iwase, Aki, Levin, Metcalf, Kawamoto, Mizuguchi, Chun Oakland, Baker, Tanaka, Taniguchi, Solomon, Slom, Kanno, Fukunaga.

No. 96 "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE ITS SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT."

Offered by: Senator Taniguchi.

No. 97 "SENATE RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT."

Offered by: Senators Kawamoto, Aki, Chumbley, Kanno.

No. 98 "SENATE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CROSSING GATES AND FLASHING SIGNALS AT RAILROAD CROSSINGS."

Offered by: Senators Kawamoto, Aki, Chumbley, Kanno.

#### STANDING COMMITTEE REPORT

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 816, H.D. 2 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, the report of the Committee was adopted and H.B. No. 816, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

#### ORDER OF THE DAY

#### DISAGREE AND APPOINTMENT OF CONFEREES

#### MATTER DEFERRED FROM TUESDAY, MARCH 11, 1997

S.B. No. 175 (H.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 175, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Levin, Metcalf, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

#### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, March 11, 1997, and Wednesday, March 12, 1997:

Senate Concurrent Resolution	Referred to:
No. 158	Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 159	Committee on Education, then to the Committee on Ways and Means
No. 160	Committee on Education, then to the Committee on Ways and Means
No. 161	Committee on Human Resources, then to the Committee on Ways and Means
No. 162	Committee on Education, then to the Committee on Ways and Means

- No. 163            Committee on Transportation and Intergovernmental Affairs
- No. 164            Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 165            Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 166            Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 167            Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 168            Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 169            Committee on Education, then to the Committee on Ways and Means
- No. 170            Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 171            Committee on Education, then to the Committee on Ways and Means
- No. 172            Committee on Human Resources, then to the Committee on Ways and Means
- No. 173            Committee on Education, then to the Committee on Ways and Means

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Tuesday, March 11, 1997, and Wednesday, March 12, 1997:

- |                   |  |
|-------------------|--|
| Senate Resolution | Referred to:   |
| No. 81            | Committee on Government Operations and Housing, then to the Committee on Ways and Means  |
| No. 82            | Committee on Education, then to the Committee on Ways and Means  |
| No. 83            | Committee on Transportation and Intergovernmental Affairs  |
| No. 84            | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means                               |
| No. 85            | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means                               |
| No. 86            | Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Ways and Means |
| No. 87            | Committee on Economic Development, then to the Committee on Judiciary  |
| No. 88            | Committee on Education, then to the Committee on Ways and Means  |

- No. 89            Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

Senator Solomon rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'm rising in response to an article that was in both newspapers yesterday, the *Star-Bulletin* and *Advertiser* -- 'Cayetano mulls Senate snag on Pai appointment to PUC.' Just for the record, Mr. President, I was informed by your leadership that you will be putting some kind of resolution together to address this situation.

"As you know, Mr. President, you've served with me for many, many years and you know my track record. I normally don't get involved unless I see my name, and being that my name was mentioned several times throughout this article, I feel compelled to stand and speak on the issue.

"Our constitution prohibits certain interim appointments. It is not relevant to inquire why a particular appointment failed to receive the consent of the Senate. Once a particular person has been named by the governor for appointment, the only remaining determination pursuant to Article V, Section 6, is whether the Senate did, in fact, consent and if it did not, the constitution prohibits the governor from appointing that person on an interim basis. In not only that, the governor is likewise without power to interfere with the confirmation process after he nominates a person for appointment. Had the governor power to withdraw or cancel an appointment once made, it would render the separation of powers provision, set out in Article V, Section 6, of the State Constitution, meaningless.

"I refer this body to the minutes of the 1982 legislative session. Those of us who were here may well remember the ringing words of Senate President Richard Wong in regard to facts identical to those before us today. The governor in 1981 appointed certain individuals, then he withdrew their appointments, and after the Senate adjourned appointed them on an interim basis.

"I'm quoting, Mr. President, primarily from the 1982 legislative session and some of my colleagues here serving with me today were then there, and I'm sure that these will bring back and jog your memory. And I'm quoting directly from Senate President Wong who spoke at the time from the Senate floor.

"President Wong stated and I quote: 'the authority of the governor to make interim appointments is conditioned by two explicit restraints in the Constitution: First, he can make interim appointments only when the Senate is not in session and a vacancy occurs; and second, he cannot make an interim appointment of a person who has previously been nominated but who has failed to receive the consent of the Senate. These are the two major points to keep in mind.'

"Furthermore, President Wong noted the governor is without power to grant interim appointments to nominees whose appointments he had withdrawn. He stated the governor, and I quote: 'took an "end run" around the Constitution and the Senate's power of confirmation.'

"He reviewed the history of the 1968 constitutional convention where I quote, 'a formidable assault was attempted to strip the Senate of its confirmation powers.' One of the strongest voices resisting the assault was that of then Senator George Ariyoshi who as governor in 1981 took that end run around the constitution and made those interim appointments.

"President Wong concludes his remarks and I quote: 'So what we have before us, members of the Senate, is an issue that runs much deeper than merely passing judgment on the

individual nominees. It is an issue that runs to the heart of the American system of government, after which our own state government is patterned. It runs to the heart of our system of separation of powers and checks-and-balances, of which the Senate -- through its confirmation powers -- is such an important part.'

"Approve these nominees, and we are saying, in effect, we are only a rubber stamp, that the Senate's powers of advise and consent are meaningless and that the Senate's constitutional power of confirmation may be circumvented by the Governor at will.'

"As the minutes show, President Wong was strongly supported by then Senator Abercrombie (now congressman) and Senator Cayetano (now governor) in his defense of the constitutional separation of powers between the legislative and executive branches.

"Mr. President, this is deja vu all over again. The more things change, the more they stay the same. Yesterday, the governor is quoted saying, 'It was never my intent to usurp the Senate's role in advise and consent of gubernatorial appointees by making Pai an interim member of the board.' Well, Mr. President, he sure wasn't singing that song in 1982.

"Thank you."

#### ADJOURNMENT

At 12:06 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, March 14, 1997.

## THIRTY-THIRD DAY

Friday, March 14, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:04 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Fe Nebres, Hawaii Conference of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

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

Senator Matsunaga introduced Meseret Mitiku, the 1997 Hawaii Junior Miss; Tiffany Monroy, first runner-up; Jessica Heacock, second runner-up; and Corlis Chang, Chair of the Hawaii Junior Miss Program.

Senator Tam then introduced the following individuals representing the Hawaii State Adult Community Education Program: Teresa Diaz, Herbert Watanabe, Lavern Moore, Vernon Paler, and Doris Godfrey.

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock a.m.

**MESSAGE FROM THE GOVERNOR**

Gov. Msg. No. 207, dated February 6, 1997, transmitting the 1996 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, pursuant to Sections 672-12 and 671-20, HRS, was read by the Clerk and was placed on file.

**SENATE CONCURRENT RESOLUTIONS**

The following concurrent resolutions (S.C.R. Nos. 205 to 230) were read by the Clerk and were deferred:

## Senate Concurrent Resolution

No. 205 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY OF DESIGNING, PLANNING, AND CONSTRUCTING A NEW BRIDGE INTO WAHIAWA."

Offered by: Senator Bunda.

No. 206 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE HEALTH CLINIC IN THE HALEIWA/WAIALUA AREA OF OAHU."

Offered by: Senator Bunda.

No. 207 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A TWO-YEAR HEALTH AND WELLNESS CENTER PILOT PROJECT WITHIN THE DEPARTMENT OF FAMILY PRACTICE AND COMMUNITY HEALTH IN THE JOHN S. BURNS SCHOOL OF MEDICINE."

Offered by: Senator Bunda.

No. 208 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE ADMINISTRATION TO INITIATE AN AGGRESSIVE COST-SAVING PROGRAM TO REDUCE OR ELIMINATE CERTAIN ADMINISTRATIVE EXPENSES."

Offered by: Senator Tam.

No. 209 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO AUDIT STATE GOVERNMENT FUNDS AND TO EVALUATE FISCAL MANAGEMENT PRACTICES OF STATE GOVERNMENT."

Offered by: Senator Tam.

No. 210 "SENATE CONCURRENT RESOLUTION REQUESTING ALL STATE DEPARTMENTS TO PHASE OUT THE USE OF GOVERNMENT-OWNED PASSENGER MOTOR VEHICLES TO PERFORM STATE BUSINESS BY ENCOURAGING STATE EMPLOYEES TO USE THEIR PERSONAL VEHICLES."

Offered by: Senator Tam.

No. 211 "SENATE CONCURRENT RESOLUTION URGING THE EXPEDITIOUS TRANSFER OF LAND TO HA'AHEO ELEMENTARY SCHOOL."

Offered by: Senator Solomon.

No. 212 "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO ENTER INTO LAND EXCHANGE NEGOTIATIONS FOR CERTAIN LANDS ON THE ISLAND OF HAWAII."

Offered by: Senator Solomon.

No. 213 "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE AMFAC BUILDING AND LUMBER YARD ON KAUAI BE USED FOR COMMUNITY PURPOSES."

Offered by: Senator Fernandes Salling.

No. 214 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF CHILD AND FAMILY SERVICE."

Offered by: Senator Kanno.

No. 215 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE APPROPRIATENESS OF MEMBERSHIP REPRESENTATION ON THE EMPLOYEES' RETIREMENT SYSTEM'S BOARD OF TRUSTEES."

Offered by: Senator Kanno.

No. 216 "SENATE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A PRE-PAID TUITION PROGRAM AT THE UNIVERSITY OF HAWAII."

Offered by: Senators Sakamoto, Aki, Tam.

No. 217 "SENATE CONCURRENT RESOLUTION REQUESTING AN INVENTORY OF PARKING SPACES IN THE CENTRAL BUSINESS DISTRICT OF HONOLULU AND DEVELOPMENT OF A GRADUATED PARKING FEE SCHEDULE."

Offered by: Senators Sakamoto, Kawamoto.

No. 218 "SENATE CONCURRENT RESOLUTION REQUESTING PAPERWORK REDUCTION REVIEWS TO BE CONDUCTED BY THE DEPARTMENTS OF ACCOUNTING AND GENERAL SERVICES, COMMERCE AND CONSUMER AFFAIRS, AND HEALTH."

Offered by: Senator Sakamoto.

No. 219 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO REPORT ON THE EFFECTS OF DOMESTIC VIOLENCE ON CHILD WITNESSES AND MAKE RECOMMENDATIONS FOR APPROPRIATE PREVENTION AND TREATMENT PROGRAMS."

Offered by: Senators Chumbley, Matsunaga.

No. 220 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE CURRENT POLICIES AND PROCEDURES RELATING TO THE CARE OF SURVIVORS OF SEXUAL ASSAULT WHO MAY BE INFECTED WITH HIV."

Offered by: Senators Chumbley, Matsunaga.

No. 221 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE APPROPRIATE PLACEMENT OF THE OFFICE OF THE PUBLIC GUARDIAN."

Offered by: Senator Mizuguchi, by request.

No. 222 "SENATE CONCURRENT RESOLUTION ESTABLISHING A BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW."

Offered by: Senators Taniguchi, Fukunaga.

No. 223 "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT."

Offered by: Senators Kawamoto, Kanno, Mizuguchi.

No. 224 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REQUIRE ALL RESTAURANTS, DINING ROOMS, AND OTHER FOOD SERVICE ESTABLISHMENTS TO CLEAN THE DUCTS AND REPLACE THE FILTERS OF THEIR AIR CONDITIONING SYSTEMS ON A MORE FREQUENT BASIS."

Offered by: Senator Tam.

No. 225 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO ESTABLISH A STANDARDIZED RISK TABLE."

Offered by: Senator Tam.

No. 226 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO REVIEW AND UPDATE ALL CLASS SPECIFICATIONS AND POSITION DESCRIPTIONS."

Offered by: Senator Tam.

No. 227 "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECONVENE THE

HAWAII MARITIME INDUSTRY POLICY ADVISORY TASK FORCE."

Offered by: Senators Anderson, Slom.

No. 228 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO UNDERTAKE A COMPARATIVE COST/BENEFIT STUDY OF THE MARITIME REGULATORY REGIME EFFECTS ON HAWAII."

Offered by: Senators Anderson, Slom.

No. 229 "SENATE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE IN ASSESSING THE FEASIBILITY OF A PACIFIC ISLANDS DEVELOPMENT BUSINESS PLAN."

Offered by: Senators Anderson, Slom.

No. 230 "SENATE CONCURRENT RESOLUTION RELATING TO NATIVE HAWAIIAN RIGHTS."

Offered by: Senators Fernandes Salling, Fukunaga.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 99 to 114) were read by the Clerk and were deferred:

#### Senate Resolution

No. 99 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY OF DESIGNING, PLANNING, AND CONSTRUCTING A NEW BRIDGE INTO WAHIAWA."

Offered by: Senator Bunda.

No. 100 "SENATE RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE HEALTH CLINIC IN THE HALEIWA/WAIALUA AREA OF OAHU."

Offered by: Senator Bunda.

No. 101 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A TWO-YEAR HEALTH AND WELLNESS CENTER PILOT PROJECT WITHIN THE DEPARTMENT OF FAMILY PRACTICE AND COMMUNITY HEALTH IN THE JOHN S. BURNS SCHOOL OF MEDICINE."

Offered by: Senator Bunda.

No. 102 "SENATE RESOLUTION REQUESTING THAT THE AMFAC BUILDING AND LUMBER YARD ON KAUAI BE USED FOR COMMUNITY PURPOSES."

Offered by: Senator Fernandes Salling.

No. 103 "SENATE RESOLUTION URGING THE ESTABLISHMENT OF A PRE-PAID TUITION PROGRAM AT THE UNIVERSITY OF HAWAII."

Offered by: Senators Sakamoto, Aki, Tam.

No. 104 "SENATE RESOLUTION REQUESTING AN INVENTORY OF PARKING SPACES IN THE CENTRAL BUSINESS DISTRICT OF HONOLULU AND DEVELOPMENT OF A GRADUATED PARKING FEE SCHEDULE."

Offered by: Senators Sakamoto, Kawamoto.

No. 105 "SENATE RESOLUTION REQUESTING PAPERWORK REDUCTION REVIEWS TO BE CONDUCTED BY THE DEPARTMENTS OF ACCOUNTING AND GENERAL SERVICES, COMMERCE AND CONSUMER AFFAIRS, AND HEALTH."

Offered by: Senator Sakamoto.

No. 106 "SENATE RESOLUTION REQUESTING A STUDY ON THE APPROPRIATENESS OF MEMBERSHIP REPRESENTATION ON THE EMPLOYEES' RETIREMENT SYSTEM'S BOARD OF TRUSTEES."

Offered by: Senator Kanno.

No. 107 "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONSULT WITH COUNTY LAW ENFORCEMENT AGENCIES REGARDING THEIR PERCEPTIONS ABOUT PROBLEMS CAUSED BY THE STATUTORY DEFINITIONS OF STATES OF MIND."

Offered by: Senators Chumbley, Matsunaga.

No. 108 "SENATE RESOLUTION ESTABLISHING A BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW."

Offered by: Senators Taniguchi, Fukunaga.

No. 109 "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT."

Offered by: Senators Kawamoto, Bunda, Kanno, Mizuguchi.

No. 110 "SENATE RESOLUTION REQUESTING THE GOVERNOR AND HIS CABINET TO DEVELOP A UNIFIED STRATEGY TO ENSURE THAT ALL YOUNG CHILDREN AND THEIR FAMILIES STATEWIDE HAVE EASY ACCESS TO COMPREHENSIVE, HIGH QUALITY, EARLY CHILDHOOD DEVELOPMENT AND FAMILY SUPPORT RESOURCES AND SERVICES, DELIVERED IN A COORDINATED MANNER WITHIN INTEGRATED SERVICE SETTINGS."

Offered by: Senator Ige, M.

No. 111 "SENATE RESOLUTION REQUESTING THE GOVERNOR TO RECONVENE THE HAWAII MARITIME INDUSTRY POLICY ADVISORY TASK FORCE."

Offered by: Senators Anderson, Slom.

No. 112 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM TO UNDERTAKE A COMPARATIVE COST/BENEFIT STUDY OF THE MARITIME REGULATORY REGIME EFFECTS ON HAWAII."

Offered by: Senators Anderson, Slom.

No. 113 "SENATE RESOLUTION REQUESTING IMPLEMENTATION OF RECOMMENDATIONS MADE IN ASSESSING THE FEASIBILITY OF A PACIFIC ISLANDS BUSINESS DEVELOPMENT PLAN."

Offered by: Senators Anderson, Slom.

No. 114 "SENATE RESOLUTION RELATING TO NATIVE HAWAIIAN RIGHTS."

Offered by: Senators Fernandes Salling, Fukunaga.

**STANDING COMMITTEE REPORTS**

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 934) recommending that H.B. No. 1893, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and H.B. No. 1893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 935) recommending that H.B. No. 1894, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and H.B. No. 1894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 936) recommending that H.B. No. 1902, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and H.B. No. 1902, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 17, 1997.

**ORDER OF THE DAY**

**THIRD READING**

H.B. No. 519, H.D. 1, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Baker and carried, H.B. No. 519, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Kanno).

H.B. No. 100, H.D. 1, S.D. 1:

Senator Baker moved that H.B. No. 100, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

At this time, the following Senators rose, respectively, to cast their 'aye' votes 'with reservations':

Senators Metcalf, Taniguchi, Chumbley, Fernandes Salling, Kawamoto, Tanaka, Iwase, Levin, Solomon, Matsunaga, Anderson, Bunda, Chun Oakland and Kanno.

The motion was then put by the Chair and carried, H.B. No. 100, H.D. 1, 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, 24. Noes, none. Excused, 1 (Aki).

**RE-REFERRAL OF HOUSE BILL**

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
No. 1711	Committee on Ways and Means

**RE-REFERRAL OF SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

Senate Resolution	Referred to:
No. 65	Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I just wanted to note that in this morning's paper (I forgot to bring it down, I guess I'm getting forgetful) there was a piece that there was going to be an additional charge for wharfage at the piers. Evidently the two larger companies are not going to pass on the wharfage fees, but they are going to pass on any fees for the cargo. Now, some time ago they said that doesn't amount to very much -- maybe 9 cents per item, per case. Well, some cases have 36 items, some have 24. In my particular case, when I bring in chemicals, that could be anywhere from a couple of dollars per item a case. A case, when I bring them in, is anywhere from six to four at what would be an additional \$1 or \$2 per item.

"I did want to state that there is some concern that when you pass on these costs, the consumer is going to have to pick them up and even though they don't sound like too much -- 9 cents for a can of peas and carrots, we'll say -- but if there's 24 to 36 cans in that particular case, it does amount to quite a bit of money per case that's being added on. So I just wanted to make that point.

"Thank you very much for listening."

**SENATE CONCURRENT RESOLUTIONS  
SENATE RESOLUTIONS**

On motion by Senator McCartney, seconded by Senator Slom and carried unanimously, the Senate authorized the Clerk to receive Senate concurrent resolutions and Senate resolutions prior to 6:00 o'clock p.m. In consequence thereof, and subsequent to its recessing at 11:34 o'clock a.m., the following resolutions were received and deferred:

**SENATE CONCURRENT RESOLUTIONS**

No. 231 "SENATE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PROGRAM FOR HAWAII'S SECONDARY SCHOOLS."

Offered by: Senator Aki.

No. 232 "SENATE CONCURRENT RESOLUTION URGING BUSINESS LEADERS IN HAWAII TO CONSIDER NATIVE HAWAIIANS EQUALLY WITH ALL

OTHER CANDIDATES FOR TOP DECISION MAKING POSITIONS."

Offered by: Senator Aki.

No. 233 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS."

Offered by: Senators Ige, D., Baker.

No. 234 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE VIABILITY OF A CIGAR INDUSTRY IN HAWAII."

Offered by: Senator Mizuguchi.

No. 235 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION TO ESTABLISH INTERSCHOLASTIC CANOEING TEAMS IN THE PUBLIC SECONDARY SCHOOLS OF THE STATE."

Offered by: Senator Mizuguchi.

No. 236 "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON EDUCATION AND THE HOUSE COMMITTEE ON EDUCATION TO DETERMINE THE ADVISABILITY OF ALLOWING THE STUDENT MEMBER ON THE BOARD OF EDUCATION TO VOTE."

Offered by: Senator Tam.

No. 237 "SENATE CONCURRENT RESOLUTION REQUESTING ADDITIONAL DAYS OF RECESS FOR THE 1997 REGULAR SESSION."

Offered by: Senator Tam.

No. 238 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CLEAN ALL AIR-CONDITIONING FILTERS IN STATE BUILDINGS ON A REGULAR BASIS."

Offered by: Senator Tam.

No. 239 "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990 AS APPLIED TO EDUCATION."

Offered by: Senator Tam.

No. 240 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE BADGES AND IDENTIFICATION CARDS TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE."

Offered by: Senator Tam.

No. 241 "SENATE CONCURRENT RESOLUTION REQUESTING REAL PROPERTY TAX RELIEF FOR RESIDENTS WHO HAVE SUFFERED PROPERTY LOSS DUE TO HIGH SURF, FLOODING, OR EROSION."

Offered by: Senator Bunda.



No. 242 "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND."

Offered by: Senator Kawamoto.

No. 243 "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF INSTALLING APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI."

Offered by: Senators Baker, Sakamoto.

No. 244 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI."

Offered by: Senators Baker, Aki, Chumbley, Ige, D., Tam, Tanaka.

No. 245 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN."

Offered by: Senator Aki.

No. 246 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO DETERMINE THE CURRENT PER PATIENT TOTAL ANNUAL COST OF LONG-TERM INSTITUTIONAL CARE IN HAWAII AND TO AUDIT THE MANAGEMENT OF ADULT RESIDENTIAL CARE HOMES TO DETERMINE IF RESIDENTS ARE AT RISK OF ABUSE AND NEGLECT DUE TO INADEQUATE REMUNERATION THAT DOES NOT ALLOW OPERATORS TO HIRE RESPITE HELP."

Offered by: Senator Chun Oakland.

No. 247 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF COMMUNITY-BASED AND HIGH SCHOOL-BASED PROGRAMS WHICH IDENTIFY CHILDREN AND YOUTH IN NEED OF COUNSELING AND REFERRAL TO ALCOHOL AND SUBSTANCE ABUSE PROGRAMS."

Offered by: Senator Metcalf.

No. 248 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION."

Offered by: Senators Taniguchi, Tanaka.

No. 249 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM."

Offered by: Senators Taniguchi, Tanaka.

No. 250 "SENATE CONCURRENT RESOLUTION CREATING A TASK FORCE TO EXPLORE THE NEED FOR A CABINET-LEVEL DEPARTMENT TO SERVE AS THE FOCAL POINT FOR AGING ISSUES IN HAWAII."

Offered by: Senators Chun Oakland, Kanno, Metcalf, Slom, Fukunaga, Sakamoto, Tam, Baker, Levin, Anderson.

No. 251 "SENATE CONCURRENT RESOLUTION STRONGLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS IN THE UNITED STATES CONGRESS TO PROVIDE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS WHO HAVE BEEN DENIED PARTICIPATION IN THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM AND TO RETURN THESE INDIVIDUALS TO THE PROGRAM."

Offered by: Senators Chun Oakland, Kanno.

No. 252 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE FEASIBILITY OF ESTABLISHING AN OFFICE OF EARLY CHILDHOOD EDUCATION WITHIN THE DEPARTMENT OF EDUCATION."

Offered by: Senators Ihara and McCartney, by request.

No. 253 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CLARIFY WHAT CONSTITUTES AN 'INDEPENDENT CONTRACTOR.'"

Offered by: Senator Kanno.

No. 254 "SENATE CONCURRENT RESOLUTION ESTABLISHING AN INTERIM COMMITTEE ON JUVENILE JUSTICE TO STUDY THE PROBLEMS OF JUVENILE CRIME AND TO IDENTIFY EFFECTIVE TREATMENT PROGRAMS AND ALTERNATIVES TO INCARCERATION."

Offered by: Senators Chumbley, Matsunaga.

No. 255 "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO SUBMIT A REPORT ON THE NUMBERS AND NATURE OF CONVICTIONS FOR PERSONS SENTENCED TO IMPRISONMENT FOR UP TO ONE YEAR."

Offered by: Senators Chumbley, Matsunaga.

No. 256 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES."

Offered by: Senators Chumbley, Matsunaga.

No. 257 "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES NINTH CIRCUIT COURT OF APPEALS."

Offered by: Senators Matsunaga, Chumbley.

No. 258 "SENATE CONCURRENT RESOLUTION REQUESTING LANGUAGE TO CREATE A RETAIL TOBACCO SALES LICENSE TO REDUCE ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS."

Offered by: Senators Matsunaga, Chumbley.

No. 259 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO RENAME THE UH SPECIAL EVENTS ARENA AS THE STAN SHERRIFF SPECIAL EVENTS ARENA."

Offered by: Senator McCartney.

No. 260 "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A LOCAL PURCHASE REQUIREMENT FOR THE PURCHASE OF CIGARETTES BY MILITARY AND COAST GUARD FACILITIES IN ALASKA AND HAWAII."

Offered by: Senator McCartney.

No. 261 "SENATE CONCURRENT RESOLUTION URGING COMPLIANCE WITH THE KANEOHE BAY MASTER PLAN."

Offered by: Senator McCartney.

No. 262 "SENATE CONCURRENT RESOLUTION REQUESTING AN INQUIRY INTO THE HAWAII STATE LEGISLATURE'S NEW PROCESS FOR THE INTRODUCTION OF PARTY PREFERRED BILLS AND RESOLUTIONS."

Offered by: Senator Anderson.

No. 263 "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SENATE AND HOUSE OF REPRESENTATIVES TO AMEND THEIR RESPECTIVE RULES TO REQUIRE THAT LEGISLATIVE FINDINGS BE BASED ON INDEPENDENT, OBJECTIVE STUDIES, EVIDENCE, AND FACTS WHEN LEGISLATIVE PROPOSALS IMPACT CONSTITUTIONAL RIGHTS."

Offered by: Senator Anderson.

No. 264 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THE FORMAL TERMS OF REFERENCE FOR A COMPARATIVE ANALYSIS AND IMPLEMENTATION STUDY OF ESTABLISHING A HAWAII STATE PORT AUTHORITY."

Offered by: Senators Sakamoto, Anderson.

No. 265 "SENATE CONCURRENT RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION ON SUN PROTECTION."

Offered by: Senator Sakamoto.

No. 266 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE EXECUTIVE/MANAGERIAL EMPLOYEES OF THE UNIVERSITY OF HAWAII AT MANOA."

Offered by: Senators Sakamoto, Aki, Tam.

No. 267 "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE THE KE'EHĪ SMALL BOAT HARBOR AND OTHER ADJACENT LANDS TO A PRIVATE DEVELOPER FOR COMMERCIAL, RECREATIONAL, EDUCATIONAL, RESEARCH, AND LIGHT INDUSTRIAL PURPOSES."

Offered by: Senator McCartney, by request.

No. 268 "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RETIREMENT BENEFITS FOR CONSERVATION RESOURCE ENFORCEMENT OFFICERS, DEPUTY SHERIFFS, LIQUOR COMMISSION INVESTIGATORS, AND MARINE PATROL OFFICERS."

Offered by: Senator Taniguchi.

No. 269 "SENATE CONCURRENT RESOLUTION URGING SUPPORT OF THE UNIVERSITY LABORATORY SCHOOL."

Offered by: Senators Solomon, Taniguchi.

No. 270 "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION."

Offered by: Senator Aki.

No. 271 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE EMPLOYEES' RETIREMENT SYSTEM'S INVESTMENT STANDARDS AND ITS COMPLIANCE THERETO."

Offered by: Senator Fukunaga.

No. 272 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO ENSURE THE CONTINUED VIABILITY OF THE SCHOOL OF PUBLIC HEALTH WITHIN THE UNIVERSITY SYSTEM."

Offered by: Senator Levin.

No. 273 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE ENVIRONMENTAL ADVISORY TASK FORCE."

Offered by: Senator Levin.

No. 274 "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF MENTAL HEALTH SERVICES FOR EAST HONOLULU."

Offered by: Senator Levin.

No. 275 "SENATE CONCURRENT RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS."

Offered by: Senators Ige, D., Ihara.

No. 276 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF CONVERTING THE STATEWIDE INDEMNITY BENEFIT PLAN AND THE STATEWIDE SERVICE BENEFIT PLAN OF THE PUBLIC EMPLOYEES HEALTH FUND TO A SELF-FUNDED SYSTEM."

Offered by: Senator Kanno.

No. 277 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION PROVIDE ADEQUATE CLERICAL STAFFING TO ALL ITS SCHOOLS."

Offered by: Senator Kanno.

No. 278 "SENATE CONCURRENT RESOLUTION REQUESTING THAT A PLAN TO ADDRESS THE PROBLEM OF ALCOHOL AND SUBSTANCE ABUSE AMONG THE CHILDREN AND YOUTH OF HAWAII BE DEVELOPED."

Offered by: Senator Metcalf.

#### SENATE RESOLUTIONS

No. 115 "SENATE RESOLUTION REQUESTING THAT THE SENATE ESTABLISH A PROCESS TO ALLOW THE WITHDRAWAL OF GUBERNATORIAL NOMINATIONS

BY RESOLUTION AND THAT THE GOVERNOR WITHDRAW THE NOMINATION OF GREGORY G.Y. PAI TO THE PUBLIC UTILITIES COMMISSION."

Offered by: Senators Baker, Aki, Anderson, Bunda, Chumbley, Chun Oakland, Fernandes Salling, Fukunaga, Ige, D., Ige, M., Ihara, Iwase, Kanno, Kawamoto, Levin, Matsunaga, McCartney, Metcalf, Mizuguchi, Sakamoto, Slom, Solomon, Tam, Tanaka, Taniguchi.

No. 116 "SENATE RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PROGRAM FOR HAWAII'S SECONDARY SCHOOLS."

Offered by: Senator Aki.

No. 117 "SENATE RESOLUTION URGING BUSINESS LEADERS IN HAWAII TO CONSIDER NATIVE HAWAIIANS EQUALLY WITH ALL OTHER CANDIDATES FOR TOP DECISION MAKING POSITIONS."

Offered by: Senator Aki.

No. 118 "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS."

Offered by: Senators Ige, D., Baker.

No. 119 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE BADGES AND IDENTIFICATION CARDS TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE."

Offered by: Senator Tam.

No. 120 "SENATE RESOLUTION REQUESTING REAL PROPERTY TAX RELIEF FOR RESIDENTS WHO HAVE SUFFERED PROPERTY LOSS DUE TO HIGH SURF, FLOODING, OR EROSION."

Offered by: Senator Bunda.

No. 121 "SENATE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND."

Offered by: Senator Kawamoto.

No. 122 "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF INSTALLING APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI."

Offered by: Senators Baker, Sakamoto.

No. 123 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI."

Offered by: Senators Baker, Aki, Chumbley, Ige, D., Tam, Tanaka.

No. 124 "SENATE RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION."

Offered by: Senators Taniguchi, Tanaka.

No. 125 "SENATE RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM."

Offered by: Senators Taniguchi, Tanaka.

No. 126 "SENATE RESOLUTION REQUESTING LANGUAGE TO CREATE A RETAIL TOBACCO SALES LICENSE TO REDUCE ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS."

Offered by: Senators Matsunaga, Chumbley.

No. 127 "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A LOCAL PURCHASE REQUIREMENT FOR THE PURCHASE OF CIGARETTES BY MILITARY AND COAST GUARD FACILITIES IN ALASKA AND HAWAII."

Offered by: Senator McCartney.

No. 128 "SENATE RESOLUTION URGING COMPLIANCE WITH THE KANEOHE BAY MASTER PLAN."

Offered by: Senator McCartney.

No. 129 "SENATE RESOLUTION REQUESTING THE HAWAII SENATE TO AMEND ITS RULES TO REQUIRE THAT LEGISLATIVE FINDINGS BE BASED ON INDEPENDENT, OBJECTIVE STUDIES, EVIDENCE, AND FACTS WHEN LEGISLATIVE PROPOSALS IMPACT CONSTITUTIONAL RIGHTS."

Offered by: Senator Anderson.

No. 130 "SENATE RESOLUTION REQUESTING AN INQUIRY INTO THE HAWAII STATE LEGISLATURE'S NEW PROCESS FOR THE INTRODUCTION OF PARTY PREFERRED BILLS AND RESOLUTIONS."

Offered by: Senator Anderson.

No. 131 "SENATE RESOLUTION REQUESTING THE AMENDMENT OF THE RULES OF THE SENATE TO PROHIBIT INTRODUCTION BY THE SENATE OF A BILL OR RESOLUTION THAT SUGGESTS OR CREATES A PUBLIC PERCEPTION THAT A POLITICAL PARTY CONTROLS THE INTRODUCTION AND PASSAGE OF A BILL OR RESOLUTION OFFERED FOR CONSIDERATION."

Offered by: Senator Anderson.

No. 132 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THE FORMAL TERMS OF REFERENCE FOR A COMPARATIVE ANALYSIS AND IMPLEMENTATION STUDY OF ESTABLISHING A HAWAII STATE PORT AUTHORITY."

Offered by: Senators Sakamoto, Anderson.

No. 133 "SENATE RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION ON SUN PROTECTION."

Offered by: Senator Sakamoto.

No. 134 "SENATE RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE

EXECUTIVE/MANAGERIAL EMPLOYEES OF THE  
UNIVERSITY OF HAWAII AT MANOA."

Offered by: Senators Sakamoto, Aki, Tam.

No. 135 "SENATE RESOLUTION URGING SUPPORT OF  
THE UNIVERSITY LABORATORY SCHOOL."

Offered by: Senators Solomon, Taniguchi.

No. 136 "SENATE RESOLUTION REQUESTING THE  
DEPARTMENT OF PUBLIC SAFETY TO DETERMINE  
THE FEASIBILITY OF CONVERTING THE FORMER  
WAILUKU AGRIBUSINESS DORMITORY INTO AN  
INMATE WORK CAMP."

Offered by: Senator Ige, M.

No. 137 "SENATE RESOLUTION REQUESTING THE  
DEPARTMENT OF TRANSPORTATION TO CONDUCT A  
FEASIBILITY STUDY OF DEVELOPING A MASTER  
PLAN FOR IMPROVING THE EFFICIENCY OF KANEHOE  
BAY DRIVE."

Offered by: Senator Ige, M.

No. 138 "SENATE RESOLUTION REQUESTING THE  
DEPARTMENT OF HUMAN SERVICES TO ALLOW  
MEDICAID RECIPIENTS TO RECEIVE ACUPUNCTURE  
TREATMENTS FOR PAIN RELIEF ON A TRIAL BASIS."

Offered by: Senator Ige, M.

No. 139 "SENATE RESOLUTION REQUESTING OLELO  
TO PROVIDE A COMPREHENSIVE REVIEW ON  
OPTIMIZING ITS PUBLIC, EDUCATION, AND  
GOVERNMENT TELEVISION ACCESS."

Offered by: Senators Ihara, Ige, D.

No. 140 "SENATE RESOLUTION REQUESTING A  
STUDY TO EVALUATE THE FEASIBILITY AND  
APPROPRIATENESS OF IMPOSING CRIMINAL  
SANCTIONS ON PERSONS WHO CONDUCT BUSINESS  
IN HAWAII WITHOUT A STATE OF HAWAII  
PROFESSIONAL OR VOCATIONAL LICENSE."

Offered by: Senator Taniguchi, by request.

No. 141 "SENATE RESOLUTION REQUESTING A  
MANAGEMENT AND FINANCIAL AUDIT OF CHILD  
AND FAMILY SERVICE."

Offered by: Senator Kanno.

No. 142 "SENATE RESOLUTION REQUESTING A  
STUDY TO DETERMINE THE FEASIBILITY OF  
CONVERTING THE STATEWIDE INDEMNITY BENEFIT  
PLAN AND THE STATEWIDE SERVICE BENEFIT PLAN  
OF THE PUBLIC EMPLOYEES HEALTH FUND TO A  
SELF-FUNDED SYSTEM."

Offered by: Senator Kanno.

No. 143 "SENATE RESOLUTION REQUESTING THE  
DEPARTMENT OF EDUCATION PROVIDE ADEQUATE  
CLERICAL STAFFING TO ALL ITS SCHOOLS."

Offered by: Senator Kanno.

**ADJOURNMENT**

At 6:00 o'clock p.m., the Senate adjourned until 11:30  
o'clock a.m., Monday, March 17, 1997.

## THIRTY-FOURTH DAY

Monday, March 17, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Ray Viliamu, Makakilo Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Fukunaga and Solomon who were excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 208 to 229) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 208, submitting for consideration and confirmation to the Education Commission of the States, the nomination of GALEN K. ONOUYE, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 209, submitting for consideration and confirmation to the Board of Acupuncture, the nomination of MICHAEL S. HOWDEN, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 210, submitting for consideration and confirmation to the Community-Based Economic Development Advisory Council, the nominations of ELAINE COHN and GLENN IOANE TEVES, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Emergency Medical Services Advisory Committee, the nomination of WINTHROP SCOTT SCHAEFER, M.I.C.T., term to expire June 30, 2000, was referred to the Committee on Health and Environment.

Gov. Msg. No. 212, submitting for consideration and confirmation to the Hawai'i Aquaculture Advisory Council, the nominations of RONALD P. WEIDENBACH and LANCE PANG, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Board of Trustees, Hawai'i Public Employees Health Fund, the nominations of JAMES K. AHLOY and DAWN SUYENAGA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 214, submitting for consideration and confirmation to the Board of Health, the nominations of HARVEY W. SMITH and JULIA O. ABBEN, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nominations of RUSSELL T. YAMANE and C. BARRY RALEIGH, Ph.D., terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Medical Advisory Board, the nominations of: LAWRENCE H. GORDON, M.D., term to expire June 30, 2000; and JEFFREY AKAKA, M.D., term to expire June 30,

2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of IVAN I. NAKANO and ERNIE K. SEIBOLD, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 218, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of MELVIN H. MIYASAKI, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 219, submitting for consideration and confirmation to the State Board of Nursing, the nomination of JUNE M. HIRAKI, R.N., term to expire June 30, 1998, was referred to the Committee on Health and Environment.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Board of Physical Therapy, the nominations of CYNTHIA M. TAMAYO, P.T., NAOMI K. WADA, P.T., and RANDAL HASHIMOTO, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 221, submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nominations of LOIS C. MIYASHIRO and CHRIST P. ZIVALICH, JR., terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Real Estate Commission, the nomination of MITCHELL A. IMANAKA, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 223, submitting for consideration and confirmation to the State Advisory Council on Rehabilitation, the nominations of: PETER FRITZ, term to expire June 30, 1997; LOURDES P. MUGAS, SHARON SHORE and ANNA MARIE SPRINGER, terms to expire June 30, 1998; STEPHEN G. LARACUENTE, JEAN SANTOS and SARAH E. POTTER, terms to expire June 30, 1999; and PETER FRITZ, term to expire June 30, 2000, was referred to the Committee on Human Resources.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Stadium Authority, the nominations of EDWARD T. "SKIPPA" DIAZ, JAY K. NAKASONE and CAROLE KAI, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Commission on Transportation, the nominations of WILLIAM B.C. HEE and DONALD A. SEGAWA, terms to expire June 30, 2001, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of LANI LIU EWART, term to expire June 30, 2001, was referred to the Committee on Judiciary.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of: AIMEE ANDERSON, term to expire June 30, 1998; and NARIYOSHI HIRAOKA and CRAIG M. NISHIMOTO, D.V.M., terms to expire June 30, 2001, was

referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Water Treatment Plants, the nomination of HAROLD HART, term to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 229, submitting for consideration and confirmation to the State Commission on the Status of Women, the nominations of PAMELA FERGUSON-BREY and HA'AHEO MANSFIELD, terms to expire June 30, 2001, was referred to the Committee on Judiciary.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 18, from the Department of Health dated March 12, 1997, transmitting a report, Vital Signs Hawai'i, 1995 Supplement, Key Indicators of Health Status in Hawai'i, was read by the Clerk and was placed on file.

#### HOUSE COMMUNICATION

Hse. Com. No. 514, returning S.B. No. 1433, S.D. 1, which passed Third Reading in the House of Representatives on March 14, 1997, was read by the Clerk and was placed on file.

#### STANDING COMMITTEE REPORTS

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 937) recommending that H.B. No. 103, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 103, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 938) recommending that H.B. No. 580, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 580, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BUSINESS RESEARCH LIBRARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 939) recommending that H.B. No. 931, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 931, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 940) recommending that H.B. No. 1485, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

1485, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 941) recommending that H.B. No. 1572, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1572, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 942) recommending that H.B. No. 1573 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1573, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 943) recommending that H.B. No. 1580 pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 944) recommending that H.B. No. 1733 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1733, entitled: "A BILL FOR AN ACT RELATING TO THE BOATING SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 945) recommending that H.B. No. 1745, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1745, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 946) recommending that H.B. No. 2238, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2238, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 947) recommending that H.B. No. 173 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 173, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 19, 1997.

**ORDER OF THE DAY**

**THIRD READING**

H.B. No. 1893, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1893, 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, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

H.B. No. 1894, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1894, 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, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

H.B. No. 1902, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1902, 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, 22. Noes, none. Excused, 3 (Fukunaga, Solomon, Tam).

**REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Thursday, March 13, 1997:

Senate Concurrent Resolution	Referred to:
No. 179	Committee on Education
No. 180	Committee on Education, then to the Committee on Ways and Means
No. 181	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 182	Committee on Education, then to the Committee on Ways and Means
No. 183	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 184 Committee on Education, then to the Committee on Ways and Means

No. 185 Committee on Health and Environment, then to the Committee on Ways and Means

No. 186 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means

No. 187 Committee on Economic Development, then to the Committee on Human Resources

No. 188 Committee on Human Resources, then to the Committee on Ways and Means

No. 189 Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 190 Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means

No. 191 Committee on Government Operations and Housing, then to the Committee on Judiciary

No. 192 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 193 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 194 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 195 Committee on Economic Development, then to the Committee on Ways and Means

No. 196 Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 197 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 198 Committee on Judiciary

No. 199 Committee on Judiciary, then to the Committee on Ways and Means

No. 200 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 201 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means

No. 202 Committee on Ways and Means

No. 203 Committee on Human Resources, then to the Committee on Transportation and Intergovernmental Affairs

No. 204 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

**REFERRAL OF SENATE RESOLUTIONS**

The President made the following committee assignments of resolutions that were offered on Thursday, March 13, 1997, and Friday, March 14, 1997:

## ADJOURNMENT

Senate Resolution	Referred to:
No. 90	Committee on Education, then to the Committee on Ways and Means
No. 91	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
No. 92	Committee on Education, then to the Committee on Ways and Means
No. 93	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 94	Jointly to the Committee on Education and the Committee on Government Operations and Housing, then to the Committee on Ways and Means
No. 95	Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Ways and Means
No. 96	Committee on Ways and Means
No. 97	Committee on Human Resources, then to the Committee on Transportation and Intergovernmental Affairs
No. 98	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 115	Committee on Commerce, Consumer Protection, and Information Technology

At 11:53 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 18, 1997.

**RE-REFERRAL OF  
GOVERNOR'S MESSAGES**

The Chair re-referred the following governor's messages that were received:

Governor's Message	Referred to:
No. 190 Affairs	Committee on Water, Land, and Hawaiian Affairs
No. 193 Affairs	Committee on Water, Land, and Hawaiian Affairs

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 145, H.D. 1	Committee on Ways and Means, then to the Committee on Judiciary
No. 1208, H.D. 2	Committee on Commerce, Consumer Protection, and Information Technology
No. 1451, H.D. 1	Committee on Commerce, Consumer Protection, and Information Technology

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.



## THIRTY-FIFTH DAY

Tuesday, March 18, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Mark, Kilohana United Methodist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 230, dated February 26, 1997, transmitting the 1996 Annual Report of the Hawaii Community-Based Economic Development Technical and Financial Assistance Program, prepared by the Department of Business, Economic Development, and Tourism, Business Development Division, pursuant to Chapter 210D-14, HRS, was read by the Clerk and was placed on file.

## STANDING COMMITTEE REPORTS

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 948) recommending that H.B. No. 872 pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 949) recommending that H.B. No. 1654, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1654, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 950) recommending that H.B. No. 1655, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 951) recommending that H.B. No. 1657, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 952) recommending that H.B. No. 1658, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 953) recommending that H.B. No. 1860, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1860, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 954) recommending that H.B. No. 1433, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1433, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 955) recommending that H.B. No. 1662 pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 956) recommending that S.C.R. No. 9, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 9, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL INSURANCE COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR PROSTATE CANCER," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 957) recommending that S.C.R. No. 27, as amended in S.D. 1, be referred to the Committee on Education.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 27, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT CARDIOPULMONARY RESUSCITATION AND FIRST AID BE REQUIRED IN ALL PUBLIC AND PRIVATE HIGH

SCHOOL HEALTH CLASSES," was referred to the Committee on Education.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 958) recommending that S.C.R. No. 53 be referred to the Committee on Human Resources.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 53, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES," was referred to the Committee on Human Resources.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 959) recommending that the Senate advise and consent to the nominations GARY K. KAJIWARA, BLAKE E. WATERHOUSE, M.D., ROGER DRUE, SISTER BEATRICE TOM, ARTHUR A. USHIJIMA, GRANT Y.M. CHUN, WILLIAM F. MIELCKE, CAROLYN A. NII, AKIRA OMONAKA and DIANE J. PLOTTS, to the Board of Directors, Hawaii Health Systems Corporation, in accordance with Gov. Msg. No. 146.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 959 and Gov. Msg. No. 146 was deferred until Wednesday, March 19, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 960) recommending that the Senate advise and consent to the nomination of SANDRA J. MIYOSHI to the State Council on Mental Health, in accordance with Gov. Msg. No. 154.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 960 and Gov. Msg. No. 154 was deferred until Wednesday, March 19, 1997.

## ORDER OF THE DAY

### REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Friday, March 14, 1997:

Senate Concurrent Resolution	Referred to:
No. 205	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 206	Committee on Health and Environment, then to the Committee on Ways and Means
No. 207	Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means
No. 208	Committee on Ways and Means
No. 209	Committee on Ways and Means
No. 210	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 211 Jointly to the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 212 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 213 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means

No. 214 Committee on Human Resources, then to the Committee on Ways and Means

No. 215 Committee on Human Resources, then to the Committee on Ways and Means

No. 216 Committee on Education, then to the Committee on Ways and Means

No. 217 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 218 Jointly to the Committee on Health and Environment and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 219 Committee on Judiciary, then to the Committee on Ways and Means

No. 220 Committee on Health and Environment, then to the Committee on Ways and Means

No. 221 Committee on Judiciary, then to the Committee on Ways and Means

No. 222 Committee on Economic Development, then to the Committee on Ways and Means

No. 223 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 224 Committee on Health and Environment

No. 225 Committee on Commerce, Consumer Protection, and Information Technology

No. 226 Committee on Human Resources, then to the Committee on Ways and Means

No. 227 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means

No. 228 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means

No. 229 Committee on Economic Development, then to the Committee on Ways and Means

No. 230 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Education

No. 231 Committee on Education, then to the Committee on Ways and Means

No. 232 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary

No. 233 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means

No. 234	Committee on Economic Development, then to the Committee on Ways and Means	No. 258	Committee on Health and Environment, then to the Committee on Ways and Means
No. 235	Committee on Education, then to the Committee on Ways and Means	No. 259	Committee on Education
No. 236	Committee on Education, then to the Committee on Judiciary	No. 260	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
No. 237	Committee on Ways and Means	No. 261	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 238	Committee on Ways and Means	No. 262	Committee on Judiciary
No. 239	Committee on Judiciary, then to the Committee on Ways and Means	No. 263	Committee on Judiciary, then to the Committee on Ways and Means
No. 240	Committee on Judiciary, then to the Committee on Ways and Means	No. 264	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
No. 241	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 265	Committee on Health and Environment, then to the Committee on Ways and Means
No. 242	Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means	No. 266	Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
No. 243	Committee on Transportation and Intergovernmental Affairs	No. 267	Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
No. 244	Committee on Education, then to the Committee on Ways and Means	No. 268	Committee on Human Resources, then to the Committee on Ways and Means
No. 245	Committee on Education, then to the Committee on Ways and Means	No. 269	Committee on Education, then to the Committee on Ways and Means
No. 246	Committee on Human Resources, then to the Committee on Ways and Means	No. 270	Committee on Education, then to the Committee on Ways and Means
No. 247	Jointly to the Committee on Health and Environment and the Committee on Education, then to the Committee on Ways and Means	No. 271	Committee on Human Resources, then to the Committee on Ways and Means
No. 248	Committee on Economic Development, then to the Committee on Ways and Means	No. 272	Jointly to the Committee on Education and the Committee on Health and Environment, then to the Committee on Ways and Means
No. 249	Committee on Economic Development, then to the Committee on Ways and Means	No. 273	Committee on Health and Environment, then to the Committee on Ways and Means
No. 250	Jointly to the Committee on Human Resources and the Committee on Health and Environment, then to the Committee on Ways and Means	No. 274	Committee on Health and Environment, then to the Committee on Ways and Means
No. 251	Committee on Human Resources, then to the Committee on Ways and Means	No. 275	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
No. 252	Committee on Education, then to the Committee on Ways and Means	No. 276	Committee on Human Resources, then to the Committee on Ways and Means
No. 253	Committee on Human Resources, then to the Committee on Ways and Means	No. 277	Committee on Education, then to the Committee on Ways and Means
No. 254	Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means	No. 278	Committee on Health and Environment, then to the Committee on Judiciary
No. 255	Committee on Judiciary		
No. 256	Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary		
No. 257	Committee on Judiciary		

#### REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Friday, March 14, 1997:

Senate Resolution	Referred to:
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- No. 99 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 100 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 101 Jointly to the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 102 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 103 Committee on Education, then to the Committee on Ways and Means
- No. 104 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 105 Jointly to the Committee on Health and Environment and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 106 Committee on Human Resources, then to the Committee on Ways and Means
- No. 107 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Judiciary
- No. 108 Committee on Economic Development, then to the Committee on Ways and Means
- No. 109 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 110 Jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 111 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 112 Jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 113 Committee on Economic Development, then to the Committee on Ways and Means
- No. 114 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Education
- No. 116 Committee on Education, then to the Committee on Ways and Means
- No. 117 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Judiciary
- No. 118 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 119 Committee on Judiciary, then to the Committee on Ways and Means
- No. 120 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 121 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 122 Committee on Transportation and Intergovernmental Affairs
- No. 123 Committee on Education, then to the Committee on Ways and Means
- No. 124 Committee on Economic Development, then to the Committee on Ways and Means
- No. 125 Committee on Economic Development, then to the Committee on Ways and Means
- No. 126 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 127 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Commerce, Consumer Protection, and Information Technology
- No. 128 Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 129 Committee on Judiciary, then to the Committee on Ways and Means
- No. 130 Committee on Judiciary
- No. 131 Committee on Judiciary
- No. 132 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 133 Committee on Health and Environment, then to the Committee on Ways and Means
- No. 134 Jointly to the Committee on Education and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 135 Committee on Education, then to the Committee on Ways and Means
- No. 136 Committee on Judiciary, then to the Committee on Ways and Means
- No. 137 Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means
- No. 138 Committee on Human Resources, then to the Committee on Ways and Means
- No. 139 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means
- No. 140 Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Judiciary
- No. 141 Committee on Human Resources, then to the Committee on Ways and Means
- No. 142 Committee on Human Resources, then to the Committee on Ways and Means
- No. 143 Committee on Education, then to the Committee on Ways and Means

**RE-REFERRAL OF  
GOVERNOR'S MESSAGE**

The Chair re-referred the following governor's message that was offered:

Governor's  
Message                      Referred to:  
  
No. 219                      Committee on Commerce, Consumer  
Protection, and Information Technology

**RE-REFERRAL OF HOUSE BILLS**

The Chair re-referred the following House bills that were received:

House Bill                      Referred to:  
  
No. 1690, H.D. 1      Committee on Health and Environment,  
then to the Committee on Ways and Means  
  
No. 1857, H.D. 1      Committee on Ways and Means  
  
No. 2060, H.D. 1      Committee on Ways and Means

**RE-REFERRAL OF  
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate  
Concurrent  
Resolution                      Referred to:  
  
No. 170                      Jointly to the Committee on  
Transportation and Intergovernmental Affairs and the  
Committee on Commerce, Consumer Protection, and  
Information Technology, then to the Committee on Ways and  
Means

**RE-REFERRAL OF SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

Senate  
Resolution                      Referred to:  
  
No. 89                      Jointly to the Committee on  
Transportation and Intergovernmental Affairs and the  
Committee on Commerce, Consumer Protection, and  
Information Technology, then to the Committee on Ways and  
Means

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, yesterday at one of our hearings in Judiciary, we found out that ... we were looking at 'truth in sentencing,' and all of a sudden Mr. Kaneshiro was there with how much we needed prison space. Now, I just wanted to remind everyone that about last year or the year before, I wrote some letters and checked with some people because we had the women's prison in the windward side being expanded. Maybe there would be a possibility of moving these people to Waiawa. We were told no, Waiawa was going to be an educational type thing and we could not use it. Then all of a sudden it was being used for prisons.

"Yesterday, in the 'truth in sentencing' bill Mr. Kaneshiro told us not to look at it as trying to get any federal money; that there would only be \$500,000, roughly. And I asked, isn't it

true that either last year or the year before, when he was prosecuting attorney, 'truth in sentencing' in fact, was going to bring in a million, probably two million, for prison space, and we should look at that. His answer was, yes it was the truth in sentencing bill!

"Mr. Parsons was there from the county and said that the mayor was really wanting to be helpful; he wanted 'truth in sentencing' and he would help. Well, it just so happens that Pacific Business News came across my desk a few days ago, and there was warehouse space -- 19,000 all the way up to 43,000 square feet. And I said, maybe the mayor would like to let that be used for prison space because it was 25 cents a square foot. I wouldn't move my business because they were only going to give us a year or two, but maybe we could look at it for temporary prison space. And lo and behold, they said that's what they've been looking at. And then I saw it on television last night.

"Now, I don't know if any of the rest of you feel cheated, but here when we're trying to look at ways to provide prison space for this state and to help make sure that we move forward in that area because we're looking at stronger laws in crime ... and then when you throw something out ... and just a few days ago it was in the newspaper and in the want ads for the businesses, they say, oh yes we've been considering that; we've been working on that. Then it comes on the news and you see it on television where they're looking at putting these prisoners up in that area but they're not too sure if it's too close to a rural area or a school, which we happen to have on the windward side with the women's prison which is right in the residential area and right near schools.

"So I was just kind of befuddled and not sure exactly what people want out of government or out of you and me as legislators. If in fact we're trying to find ways and means to provide the necessary tools that these people need, and when you bring it up they say, oh yeh, we've been working on that. If they have, then share it, so we do not have to run around trying to figure out ways and means to take care of a serious situation in this state.

"Thank you very much, Mr. President."

**ADJOURNMENT**

At 11:48 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 19, 1997.

## THIRTY-SIXTH DAY

Wednesday, March 19, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Lay Minister Jo Ashmore, First Unitarian Church of Honolulu, after which the Roll was called showing all Senators present.

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

Senator Slom, with the assistance of Senators Solomon, Aki, Matsunaga, Sakamoto, Anderson and McCartney, introduced the following individuals representing The Curriculum Research and Development Group's University Laboratory School: Dr. Arthur King, Dr. Loretta Kause, Eileen Tamura, Francis Pottenger, Val Krohn-Ching, Annette Matsumoto, and James Harstad.

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 231, informing the Senate that on March 17, 1997, he signed into law H.B. No. 455 as Act 2, entitled: "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," was read by the Clerk and was placed on file.

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 19, from the State Auditor dated March 17, 1997, transmitting a report, "Study of the Feasibility of an Optional Retirement Plan for University of Hawaii Faculty," (Report No. 97-8), in response to H.C.R. No. 276 (1996), was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 515 to 519) were read by the Clerk and were placed on file:

Hse. Com. No. 515, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 100, H.D. 1.

Hse. Com. No. 516, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 519, H.D. 1.

Hse. Com. No. 517, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1893.

Hse. Com. No. 518, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1894.

Hse. Com. No. 519, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1902.

## STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 961) recommending that H.B. No. 147, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Bunda and M. Ige, for the Committee on Education and the Committee on Government Operations and Housing, presented a joint report (Stand. Com. Rep. No. 962) recommending that H.B. No. 1660, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 963) recommending that H.B. No. 1574 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 964) recommending that H.B. No. 1576 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 965) recommending that H.B. No. 1577, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1577, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION WATER PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 966) recommending that H.B. No. 1579, H.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AGRICULTURE," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 967) recommending that H.B. No. 1581 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1581, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 968) recommending that H.B. No. 2214 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2214, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 969) recommending that H.B. No. 105, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 105, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 970) recommending that H.B. No. 114 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 971) recommending that H.B. No. 1585, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1585, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 1613 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and 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 Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 973)

recommending that H.B. No. 1635 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1635, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 974) recommending that H.B. No. 1649, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1649, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 975) recommending that H.B. No. 2145 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2145, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPLEMENT A PROGRAM OF REGIMENTAL DISCIPLINE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 976) recommending that H.B. No. 1770 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1770, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 977) recommending that H.B. No. 1771 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1771, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 978) recommending that H.B. No. 1772 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1772, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 979) recommending that H.B. No. 1773 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.





992) recommending that H.B. No. 1786 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1786, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 993) recommending that H.B. No. 1787 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1787, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 994) recommending that H.B. No. 1788 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1788, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 995) recommending that H.B. No. 1789 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1789, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 996) recommending that H.B. No. 1790 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1790, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 997) recommending that H.B. No. 1791 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1791, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 998) recommending that H.B. No. 1792 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1792, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 999) recommending that H.B. No. 1793 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1793, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1000) recommending that H.B. No. 787 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1001) recommending that H.B. No. 1855, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1855, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1002) recommending that H.B. No. 1858, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1003) recommending that H.B. No. 1863, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1863, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1004) recommending that H.B. No. 1878, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1878, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1005) recommending that H.B. No. 1886, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1886, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1006) recommending that H.B. No. 1891 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1891, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS LICENSE RENEWAL," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1007) recommending that H.B. No. 1895, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1895, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1008) recommending that H.B. No. 1896, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1896, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1009) recommending that H.B. No. 1897 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1897, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 21, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1010) recommending that H.B. No. 1591, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1011) recommending that H.B. No. 665, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 1528, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1528, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 1694, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1694, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1014) recommending that H.B. No. 1695, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1695, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 1699, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1699, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1016) recommending that H.B. No.

1700 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1700, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 1750, H.D. 2, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1750, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 2222, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2222, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1019) recommending that the Senate advise and consent to the nomination of CLAUDIO R. SUYAT to the Civil Rights Commission, in accordance with Gov. Msg. No. 144.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1019 and Gov. Msg. No. 144 was deferred until Thursday, March 20, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1020) recommending that the Senate advise and consent to the nomination of ALFRED K. BEAVER, SR., as Chairperson of the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 150.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1020 and Gov. Msg. No. 150 was deferred until Thursday, March 20, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1021) recommending that the Senate advise and consent to the nominations of DONALD E. ABDUL and JEANNE E. YAGI to the Board of Registration, Island of Hawaii, in accordance with Gov. Msg. No. 160.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1021 and Gov. Msg. No. 160 was deferred until Thursday, March 20, 1997.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 959 (Gov. Msg. No. 146):

Senator Levin moved that Stand. Com. Rep. No. 959 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations to the Board of Directors, Hawaii Health Systems Corporation, of the following:

GARY K. KAJIWARA and BLAKE E. WATERHOUSE, M.D., terms to expire on June 30, 1998;

ROGER DRUE, SISTER BEATRICE TOM and ARTHUR A. USHIJIMA, terms to expire June 30, 1999; and

GRANT Y.M. CHUN, WILLIAM F. MIELCKE, CAROLYN A. NII, AKIRA OMONAKA and DIANE J. PLOTTS, terms to expire June 30, 2000,

seconded by Senator Metcalf.

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

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Stand. Com. Rep. No. 960 (Gov. Msg. No. 154):

Senator Levin moved that Stand. Com. Rep. No. 960 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of SANDRA J. MIYOSHI to the State Council on Mental Health, term to expire June 30, 1999, seconded by Senator Metcalf.

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

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

### THIRD READING

H.B. No. 173:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 173, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

### STANDING COMMITTEE REPORT

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1022) recommending that S.R. No. 115, as amended in S.D. 1, be adopted.

Senator Baker moved that Stand. Com. Rep. No. 1022 be adopted and S.R. No. 115, S.D. 1, be adopted, seconded by Senator D. Ige.

Senator Baker rose in support of the measure as follows:

"Mr. President, I rise in support of this standing committee report and resolution.

"Mr. President, your committee, upon reflecting on this resolution, chose to amend the title to be very clear that we're talking about situations where nominations come to us in an impaired fashion.

"Mr. President, this resolution is about the process, not about the nominee or any individual person. It is about the Senate's

ability to exercise its 'advise and consent' constitutional prerogative in an unimpeded fashion.

"Mr. President, neither your committee nor the 25 Senators who all signed this resolution came to this juncture with any great ease or with any joy, but we know that it's very important not only to be true to the prerogatives that the Constitution devolves to the Senate, but also to be true to those who have gone before us.

"As was eloquently pointed out on the floor the other day, back in 1982 there was a similar kind of situation. In that instance, the Senate, standing up for its prerogative of 'advise and consent,' voted down all of the interim-appointed nominees. There is no clear guidance as to how the Senate would respond procedurally if this process were repeated. The Senators at that particular time (1982) took great umbrage at the way the nominations had come to them. One of the Senators back then is our governor now, and I'm certain that the governor would want, and would expect, the members of this Senate to exercise the same defense of the institution and defense of the process that his 1982 colleagues exercised.

"It is important to be very clear that in terms of our procedural prerogatives, our ability to adequately exercise our constitutional role as an independent, co-equal branch of government, that we must have the ability to exercise 'advise and consent' in an unimpaired fashion. Therefore, I appreciate the effort of the committee and the Senators, and urge all my colleagues to vote 'aye' on this measure. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE SENATE ESTABLISH A PROCESS FOR WITHDRAWAL OF GUBERNATORIAL NOMINATIONS BY RESOLUTION WHEN SUCH NOMINATIONS IMPAIR THE ADVISE AND CONSENT PROCESS AND THAT THE GOVERNOR WITHDRAW THE NOMINATION OF GREGORY G.Y. PAI TO THE PUBLIC UTILITIES COMMISSION," was adopted.

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 1690, H.D. 1	Jointly to the Committee on Health and Environment and the Committee on Ways and Means
No. 2161, H.D. 1	Committee on Education, then to the Committee on Ways and Means

Senator Kanno, for the Committee on Human Resources, requested a waiver of the 72-hour Notice of a Public Hearing on H.B. No. 1615, H.B. No. 1617, H.B. No. 1618, H.B. No. 1619, H.B. No. 1706, H.B. No. 1798 and H.B. No. 1809, and the Chair granted the waiver.

Senator Taniguchi, for the Committee on Economic Development, also requested a waiver of the 72-hour Notice of a Public Hearing on H.B. No. 546, and the Chair granted the waiver.

#### ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 20, 1997.

## THIRTY-SEVENTH DAY

Thursday, March 20, 1997

## HOUSE COMMUNICATION

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Myokan Shakti Kali Khan, Soto Mission Betsuin, Shoboji, after which the Roll was called showing all Senators present with the exception of Senators Aki, Anderson and Taniguchi who were excused.

The President announced that he had read and approved the Journal of the Thirty-Sixth Day.

Senator Solomon, on behalf of Senators Anderson, Fernandes Salling, Aki and herself, introduced Brook Antoinette Mahealani Lee and congratulated her on capturing the prestigious title of Miss USA. Miss Lee was accompanied by her mother, Mrs. Toni Lee.

At this time, the President appointed Senators Solomon and D. Ige to escort Miss USA Brook Lee to the podium where she addressed the members of the Senate and their guests as follows:

"Wow, pressure! Not too long ago I stood here getting recognized for my father, who was very involved in the Hawaiian community, and it was sort of a sad day because of his passing. So it's good to be here on such a good occasion and to be on such an up note on this occasion, but I'm sitting here and I'm just in awe. I've been away for so long and you all have to pardon me because I've been so homesick and it's so good to be back. It's just amazing to be here, of all places. But as you honor me, I honor you. I thank you so much for keeping the islands what they are, because I will be home in a year. I will be back to vote.

"I realize everyday how lucky I am for where I come from. And as I look up in the gallery, one of you may be here one day, you know. It's just one big circle. It's amazing.

"Thank you so much for honoring me, and I share it all with you. Do the wonderful job that you've been doing, keep it up. I want to come back and have the islands, please, still be here in a year, and running. I take all of you with me when I go to Universe. I will be an ambassador, yes for the USA, but I will be an ambassador of aloha for the 50th State of Hawaii as well. We'll see what happens at Universe, but either way, I will be back. Thank you."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 232 and 233) were read by the Clerk and were placed on file:

Gov. Msg. No. 232, informing the Senate that on March 19, 1997, he signed into law S.B. No. 1433 as Act 3, entitled: "MAKING AN APPROPRIATION FOR TOURISM MARKETING."

Gov. Msg. No. 233, letter dated March 19, 1997, requesting that the positions and funds for the Executive Office On Aging for FB 1998-99 be moved from the Department of Human Services to the Department of Health.

Hse. Com. No. 520, transmitting H.C.R. No. 44, which was adopted by the House of Representatives on March 19, 1997, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT STEPS BE TAKEN TO STRENGTHEN THE FUTURE OF THE UNITED STATES INSTITUTE OF PEACE BY SUPPORTING ITS RELOCATION TO HAWAII," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

## STANDING COMMITTEE REPORTS

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 145, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 145, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 137, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 137, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST-WEST CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 294, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 294, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 585, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR LABOR EDUCATION AND RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1027) recommending that H.B. No. 886, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 886, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE EXPANSION OF THE HIGHER EDUCATION OUTREACH PROGRAM ON THE NEIGHBOR ISLANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1028) recommending that H.B. No. 1006, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1006, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1029) recommending that H.B. No. 1656, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1656, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1030) recommending that H.B. No. 1659 pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1031) recommending that H.B. No. 1663, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1032) recommending that H.B. No. 1664, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1664, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1033) recommending that H.B. No. 1904, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1904, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1034) recommending that H.B. No. 2016, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2016, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII-HILO THEATRE REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1035) recommending that H.B. No. 367, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 367, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1036) recommending that H.B. No. 1854, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1854, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1037) recommending that H.B. No. 1868, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1868, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1038) recommending that H.B. No. 1869, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1869, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1039) recommending that H.B. No. 1870 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1870, entitled: "A BILL FOR AN ACT RELATING

TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 1900, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1900, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1041) recommending that H.B. No. 19, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 19, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING STALLS FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1042) recommending that H.B. No. 33, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 33, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1043) recommending that H.B. No. 397, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 397, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1044) recommending that H.B. No. 1833, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1045) recommending that S.C.R. No. 29, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 29, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ANALYSIS OF SOLUTIONS TO THE PUBLIC RIGHT-OF-WAY ISSUE," was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, jointly with Senators Tanaka and Taniguchi, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1046) recommending that H.B. No. 417, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 417, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 364, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 364, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1048) recommending that H.B. No. 1645, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1645, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1049) recommending that H.B. No. 1653, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and 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 Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 1687 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 2202, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2202, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 363 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 363, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 454, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 454, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 636, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 636, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 1036, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1036, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1056) recommending that H.B. No. 1104, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com.

Rep. No. 1057) recommending that H.B. No. 1370, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1370, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 1713, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 1732, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1732, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 1752, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1752, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 1768, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1062) recommending that the Senate advise and consent to the nominations of DONALD C.W. KIM, LILY K. YAO and STANLEY H. ROHRIG to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 165,

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1062 and Gov. Msg. No. 165 was deferred until Friday, March 21, 1997.

**ORDER OF THE DAY**



## ADVISE AND CONSENT

Stand. Com. Rep. No. 1019 (Gov. Msg. No. 144):

Senator Chumbley moved that Stand. Com. Rep. No. 1019 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of CLAUDIO R. SUYAT to the Civil Rights Commission, term to expire June 30, 1999, seconded by Senator Matsunaga.

At this time, Senator Matsunaga requested that his remarks in support of the nominee be inserted into the Journal. The Chair having so ordered, Senator Matsunaga's remarks read as follows:

"Claudio R. Suyat holds a Bachelors degree in Secondary Education and a Fifth Year Diploma from the University of Hawaii, an M.A. from Columbia University Teachers College, and is a retired educator and school district superintendent. Mr. Suyat has been an active member of various community and professional organizations.

"I urge my colleagues to consent to this nomination."

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Anderson, Taniguchi).

Stand. Com. Rep. No. 1020 (Gov. Msg. No. 150):

Senator Chumbley moved that Stand. Com. Rep. No. 1020 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of ALFRED K. BEAVER, SR., as Chairperson of the Hawaii Paroling Authority, term to expire June 30, 1997, seconded by Senator Matsunaga.

Senator Matsunaga requested that his remarks in support of the nominee be inserted into the Journal and the Chair so ordered. Senator Matsunaga's remarks read as follows:

"Alfred K. Beaver, Sr., holds a Bachelors degree and professional certificates in education from the University of Hawaii and a Masters degree in Educational Administration from Pepperdine University. His work experience includes serving as a former sergeant with the Honolulu Police Department, educator, and athletic coach. Mr. Beaver has also been an active member of various community organizations.

"I urge my colleagues to consent to this nomination."

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Anderson, Taniguchi).

Stand. Com. Rep. No. 1021 (Gov. Msg. No. 160):

Senator Chumbley moved that Stand. Com. Rep. No. 1021 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations to the Board of Registration, Island of Hawaii, of the following:

DONALD E. ABDUL, terms to expire June 30, 1997 and June 30, 2001; and

JEANNE E. YAGI, term to expire June 30, 1998,

seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominees and requested that his remarks be inserted into the Journal. The Chair having so ordered, Senator Chumbley's remarks are as follows:

"Donald E. Abdul attended Honolulu Community College and is currently a general construction and maintenance supervisor. Mr. Abdul serves on numerous committees and organizations in the County of Hawaii.

"Jeanne E. Yagi holds a Bachelor of Science degree from Northwestern University and is currently a marketing-public relations consultant. Ms. Yagi is presently the treasurer with the Big Island Educational Federal Credit Union.

"I urge my colleagues to vote in favor of these nominations."

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Anderson, Taniguchi).

## RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
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No. 1539	Jointly to the Committee on Judiciary and the Committee on Ways and Means
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Senator Solomon, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, on H.B. No. 1746, H.B. No. 1747 and H.B. No. 1748, and the Chair granted the waiver.

Senator Tam, for the Committee on Education, requested a waiver of the 48-hour Notice of a Public Hearing on H.B. No. 2234, and the Chair granted the waiver.

## ADJOURNMENT

At 12:05 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., Friday, March 21, 1997.

## THIRTY-EIGHTH DAY

Friday, March 21, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Lee, Central Union Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson and Bunda who were excused.

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

## STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 120, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 120, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 1714, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1714, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 817, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 817, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Iwase and Solomon, for the Committee on Education and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 1753, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1067) recommending that H.B. No. 480, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 480, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 1463, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1463, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 1488, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1488, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 1620, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1620, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 1716, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 1724, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1724, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No.

1073) recommending that H.B. No. 1986, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1986, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CITIZENSHIP," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1074) recommending that H.B. No. 1709, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1709, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1075) recommending that H.B. No. 4, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 4, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSE PLATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 20, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 20, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 37, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 37, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 88, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 88, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 116, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 116, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 214, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 214, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KEAHOLE AIRPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 761, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 761, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY INSPECTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1201, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1083) recommending that H.B. No. 1326 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1084) recommending that H.B. No. 1473 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1473, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1085) recommending that H.B. No. 1707 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1086) recommending that H.B. No. 1757, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1757, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, jointly with Senators Chumbley and Matsunaga, and Senators Tanaka and Taniguchi, for the Committee on Transportation and Intergovernmental Affairs, the Committee on Judiciary and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1087) recommending that H.B. No. 1805, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1805, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1088) recommending that H.B. No. 2134 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2134, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEETINGS OF PUBLIC AGENCIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1089) recommending that H.B. No. 2, H.D. 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1090) recommending that H.B. No. 1189, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1189, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1091) recommending that H.B. No. 1190, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1190, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1092) recommending that H.B. No. 2110, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY EXEMPTIONS FROM REAL PROPERTY TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1093) recommending that H.B. No. 2220 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2220, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1094) recommending that H.B. No. 183, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 183, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1095) recommending that H.B. No. 240, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 240, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Kawamoto and Sakamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1096) recommending that H.B. No. 351, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 351, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Kawamoto and Sakamoto, for the Committee on Economic Development and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1097) recommending that H.B. No. 1101, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1098) recommending that H.B. No. 122, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 122, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1099) recommending that H.B. No. 167, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 167, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1100) recommending that H.B. No. 264, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 264, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE WILCOX HEALTH SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1101) recommending that H.B. No. 387 pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 387, entitled: "A BILL FOR AN ACT RELATING TO NURSES," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1102) recommending that H.B. No. 647 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 647, entitled: "A BILL FOR AN ACT RELATING TO

PUBLIC HEALTH NURSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1103) recommending that H.B. No. 737, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 737, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR URGENT CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1104) recommending that H.B. No. 1830, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1105) recommending that H.B. No. 1839, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1839, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1106) recommending that H.B. No. 1840, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1840, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1107) recommending that S.C.R. No. 22, as amended in S.D. 1, be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 22, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO PROVIDE FINANCIAL SUPPORT TO THE NATIVE HAWAIIAN HEALTH CARE SYSTEMS," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1108) recommending that S.C.R. No. 25, as amended in S.D. 1, be referred to the Committee on Education.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was

adopted and S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALTER THE CONTENT OF THE REQUIRED HEALTH CLASSES IN SECONDARY SCHOOLS," was referred to the Committee on Education.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1109) recommending that S.C.R. No. 55, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT TO DETERMINE THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE EQUAL TO COVERAGE FOR ALL OTHER MEDICAL ILLNESSES," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1110) recommending that H.B. No. 1818, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1818, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1111) recommending that H.B. No. 1829, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1829, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1112) recommending that H.B. No. 1837, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1837, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1113) recommending that H.B. No. 1715, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1715, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," passed Second Reading and was referred to the Committee on Judiciary.

## ORDER OF THE DAY

### ADVISE AND CONSENT

Stand. Com. Rep. No. 1062 (Gov. Msg. No. 165):

Senator Aki moved that Stand. Com. Rep. No. 1062 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the Board of Regents, University of Hawaii, of the following:

STANLEY H. ROEHRIG, term to expire June 30, 1999; and

DONALD C.W. KIM and LILY K. YAO, terms to expire June 30, 2001,

seconded by Senator Tam.

Senator Aki rose in support of the nominations as follows:

"Mr. President, I rise to speak in support of Gov. Msg. No. 165.

"Today, I am happy to recommend three nominees to the University of Hawaii Board of Regents. These three outstanding community leaders were nominated by Governor Cayetano and approved by your Education Committee on March 10, 1997.

"It is imperative that we confirm these three nominees who are recognized community leaders with strong ties to Asia and the business acumen to shape the University of Hawaii into a great institution of higher learning and research. In light of our state's poor fiscal condition at this time, it is more imperative that we select strong, dynamic leaders who will be asked to guide our state university system through a period of change and growth with a focus on Asia and the Pacific rim.

"These three nominees are well qualified to be appointed to our University of Hawaii Board of Regents. Let me begin by presenting the first Board of Regent nominee, Ms. Lily K. Yao.

"Ms. Lily K. Yao is being nominated to a second four-year term; she was first appointed in 1993. She is the first Chinese-American to serve on the Board of Regents in 20 years. She is presently serving until June 30, 1997, as the Board of Regents chairperson.

"Ms. Yao is the Board Chair and Chief Executive Officer of Pioneer Federal Savings Bank. She is a member of and/or officer in the following financial and professional organizations: Hawaii League of Savings Institutions; Savings & Community Bankers of America, a board member; past director on the board of the Federal Home Loan Bank of Seattle; Hawaii Children's Museum board advisor; Governor's Advisory Council on Airline Relations; Center for International Business Education and Research; and the Council of Presidents and CEOs of the University of Hawaii College of Business Administration.

"Ms. Yao earned a Bachelor of Business Administration degree from the University of Hawaii and is a graduate of the School of Executive Development at the University of Washington. She was the first woman in Hawaii to complete the Graduate School of Savings and Loans at Indiana University. Moreover, Ms. Yao has served on the board of the Hawaii Chapter of the American Red Cross, the board of directors of the Chamber of Commerce of Hawaii, and was former president of the Chinese Chamber of Commerce. In addition to English, she speaks fluent Mandarin, Shanghaiese and Japanese.

"Our second nominee is Mr. Donald C.W. Kim.

"Your Committee on Education also approved the nomination of Donald C.W. Kim to a four-year term to replace Regent Momi Cazimero when her term expires on June 30, 1997. Mr. Kim will be the third appointee of Korean ancestry to serve on the U.H. Board of Regents. He earned a degree in chemical engineering from Seoul National University, College of Engineering in 1952, and a Bachelor of Science in Civil Engineering from the University of Hawaii, College of Engineering in 1958. He is a registered professional engineer in the State of Hawaii and Guam.

"Mr. Kim is also board chair and CEO of R.M. Towill Corporation, Hawaii's largest and oldest consulting engineering firm specializing in planning, engineering, surveying and construction management. He has been the board chair and president of Kilohana Corporation since 1994; founder and chairman of the board of AMKOR A&E, Inc., an architectural-engineering firm in Seoul, Korea, since 1982. In addition, he is co-founder and chairman of the board of Keahole Associates, Inc. in Hawaii specializing in project management of airports since 1988.

"Mr. Kim is a trustee of the U.H. Foundation; a lifetime member of the U.H. Alumni Association; on the Board of Advisors of the U.H. Engineering Alumni Association; a director of the Friends of the U.H. Center for Korean Studies; and a member of the Hawaii Pacific College's Business Administration Advisory Council.

"Our final nominee is Stanley H. Roehrig. Mr. Roehrig is being nominated to complete the unexpired term of Regent Shunichi Kimura, whose term will expire on June 30, 1999.

"Mr. Roehrig was born and raised in Honolulu. He attended Manoa Elementary School, Stevenson Intermediate School, and graduated from Punahou School. He earned a Bachelor of Science degree in physics from Brown University and a Doctor of Jurisprudence degree from the University of Washington School of Law.

"He has served as a deputy attorney general, State of Hawaii; deputy county attorney, County of Hawaii; first Hawaii County public defender; representative in the Hawaii State Legislature from 1969 through 1976; and is currently an attorney-at-law in the law corporation of Roehrig, Roehrig, Wilson and Hara in Hilo, Hawaii.

"Mr. Roehrig's professional affiliations include membership in the Hawaii County Bar Association; Hawaii State Bar Association; Consumer Lawyers of Hawaii; National Board of Trial Advocacy, Certified Trial Advocate; and The Association of Trial Lawyers of America.

"Mr. President, as affirmed by the record of votes of the members of your Committee on Education, your committee, after full consideration of the background, character, experience, and qualifications of all three individuals, has found them to be well qualified for appointment to the University of Hawaii Board of Regents. I urge all members to vote in support."

Senator Solomon rose in support of the nomination of Stanley Roehrig as follows:

"Mr. President, I'm speaking in support of the all the nominees and in particular Mr. Stanley Roehrig whom I have known and respected for a long time. Although, Mr. President, we have agreed to disagree on many issues, the bottom line for me is that Stanley has always been a very strong advocate for people, as well as a very strong voice for the Big Island.

"On the lighter side, Mr. President, I just would like to share with my colleagues a little story. Stan, who lives in Laupahoehoe and is an attorney and, as you know, was a former Representative, does a lot of pro bono work for various

community organizations. And in reference to one of his cases (I can't recall which one in particular) I remember quite fondly, I received a call from one of my constituents who is of Portuguese ancestry and who said to me, 'Well, Senator, what's wrong with that "Portagee" boy, Stanley Rodrig?'

"I said, 'Who?'

"Stanley Rodrig.'

"I said, 'Who's that?'

"You know -- that pupule attorney.'

"And I said, 'Oh yeh, you mean Stanley Roehrig. Eh, Uncle, he's not one "Portagee," he's one haole.'

"And then he said, 'Oh, that explains it then.' (Laughter!)

"With that, Mr. President, it gives me great pride to recommend him to my colleagues. Mr. Roehrig not only has a thick skin, but he has a tremendous sense of humor. Mr. President, he does have big shoes to fill because Shun Kimura has done an outstanding job for the Island of Hawaii as a U.H. Regent and as a judge. It's just so sad that he had to step down because of family and personal reasons, but I'm very, very pleased with the governor's appointment of Mr. Roehrig. It's not too many times that I've been able to praise the governor, but in terms of this appointment, I'm very pleased that he saw fit to appoint Mr. Roehrig.

"Thank you very much."

Senator Kawamoto rose in support of Donald Kim and said:

"Mr. President, I'd like to rise in support of the nominations and especially Mr. Donald C.W. Kim.

"I got to know Mr. Kim as executive director of the Waipahu Cultural Garden Park and Hawaii's Plantation Village and he participated as a member of the Korean Society and was very much involved with the Plantation Village. Without his participation, I think Hawaii's Plantation Village would still be a dream and not a reality as it is today, so thank you very much.

"I urge all my colleagues to vote in favor of this nominee. Thank you."

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

Ayes, 22. Noes, none. Excused, 3 (Anderson, Bunda, Metcalf).

Senator Levin rose at this time and said:

"Mr. President, now that Mr. Roehrig has been confirmed, I would like to make sure my colleagues understand that that confirmation includes an endorsement of all his proposals for U.H. Hilo which, of course, will eliminate any other proposals from being included in the budget. And, Mr. Roehrig, we want to thank you for getting dressed up to join us today." (Laughter.)

Senator Metcalf then added:

"Although I regret I wasn't present for the formal vote, I would like to have Senator Levin's remarks inserted in the Journal as my own, and underscore Senator Levin's reference to Mr. Roehrig's attire." (More laughter.)

### THIRD READING

H.B. No. 1635:

Senator Chumbley moved that H.B. No. 1635, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak on the measure and said:

"Mr. President, I rise for a point of clarification.

"The bill changes the word perjury and inserts unsworn falsification to authorities. I just want to make sure that it doesn't apply to any of the Senators or Representatives.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 1635, 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, 23. Noes, none. Excused, 2 (Anderson, Bunda).

H.B. No. 1886, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1886, H.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, 23. Noes, none. Excused, 2 (Anderson, Bunda).

H.B. No. 1891:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1891, 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, 23. Noes, none. Excused, 2 (Anderson, Bunda).

H.B. No. 1897:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1897, 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, 23. Noes, none. Excused, 2 (Anderson, Bunda).

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:06 o'clock p.m.

#### STANDING COMMITTEE REPORTS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that House bills pass Second Reading and be referred to committees or be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that Senate concurrent resolutions be referred to committees. In consequence thereof, and subsequent to its recessing at 12:07 o'clock p.m., the Senate took the following actions on the following bills, resolutions and standing committee reports:

Senators Iwase and Solomon, jointly with Senators Bunda and M. Ige, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Government Operations and

Housing, presented a joint report (Stand. Com. Rep. No. 1114) recommending that H.B. No. 1712, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1712, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1115) recommending that H.B. No. 1746 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1116) recommending that H.B. No. 1747 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1747, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1117) recommending that H.B. No. 1748, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1748, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHO'OLAWA PENALTIES," passed Second Reading and was referred to the Committee on Judiciary.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1118) recommending that H.B. No. 2207, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2207, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1119) recommending that H.B. No. 1624, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1624, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No.



1120) recommending that H.B. No. 701, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 701, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL SECURITY ATTENDANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1121) recommending that H.B. No. 1797, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1797, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1122) recommending that H.B. No. 1721, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1721, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1123) recommending that H.B. No. 1810 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1810, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1124) recommending that H.B. No. 1815, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1815, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1125) recommending that H.B. No. 108, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 108, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1126)

recommending that H.B. No. 112, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 112, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, jointly with Senators Aki and Tam, for the Committee on Judiciary and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1127) recommending that H.B. No. 115, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 115, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TEEN COURT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1128) recommending that H.B. No. 140, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 140, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1129) recommending that H.B. No. 405, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and 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 Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1130) recommending that H.B. No. 1188, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1188, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1131) recommending that H.B. No. 1381, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1132) recommending that H.B. No. 1388, H.D. 2, as amended in S.D.

1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1388, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1133) recommending that H.B. No. 1390, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1390, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1134) recommending that H.B. No. 1393, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1393, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1135) recommending that H.B. No. 1394, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1136) recommending that H.B. No. 1582, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1582, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1137) recommending that H.B. No. 1587, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1587, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1138) recommending that H.B. No. 1604, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1604, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1139) recommending that H.B. No. 1631, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

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

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1140) recommending that H.B. No. 1634, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1634, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1141) recommending that H.B. No. 1638, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1638, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1142) recommending that H.B. No. 1087, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1087, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1143) recommending that H.B. No. 1610, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1610, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Tanaka and Taniguchi, for the Committee on Human Resources and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1144) recommending that H.B. No. 1625, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1625, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1145) recommending that H.B. No. 30, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 30, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HURRICANE INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1146) recommending that H.B. No. 919 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 919, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1147) recommending that H.B. No. 260 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1148) recommending that H.B. No. 369 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1149) recommending that H.B. No. 1675, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1150) recommending that H.B. No. 1866, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1866, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE PREMIUM TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Aki and Tam, for the Committee on Economic Development and the Committee on Education, presented a joint report of the majority of the Committees (Stand. Com. Rep. No. 1151) recommending that H.B. No. 819, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the majority of the Committees was adopted and H.B. No. 819, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN FLOATING ALL-NATURAL CLEAN ENERGY POWER STATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1152) recommending that H.B. No. 126, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 126, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1153) recommending that H.B. No. 631, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 631, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1154) recommending that H.B. No. 1210, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1210, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1155) recommending that H.B. No. 1218, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1218, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1156) recommending that H.B. No. 1243, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1157) recommending that H.B. No. 1246, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1246, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1158) recommending that H.B. No. 1247 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1247, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1159) recommending that H.B. No. 1819, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1819, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1160) recommending that H.B. No. 1838, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1838, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1161) recommending that H.B. No. 1841, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1841, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1162) recommending that H.B. No. 1843, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1843, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1163) recommending that H.B. No. 1965, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1965, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1164) recommending that H.B. No. 1619, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1619, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1165) recommending that H.B. No. 2019, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2019, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1166) recommending that H.B. No. 2137, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2137, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Second Reading and was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1167) recommending that H.B. No. 2232, H.D. 2, as amended

in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2232, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1168) recommending that H.B. No. 129, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 129, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT-COMMUNITY NETWORKING CENTERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1169) recommending that H.B. No. 248, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 248, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1170) recommending that H.B. No. 998, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 998, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC HEALTH CARE SPECIALISTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1171) recommending that H.B. No. 1012 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1012, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," passed Second Reading and was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1172) recommending that H.B. No. 1023, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1173) recommending that H.B. No. 1138, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1174) recommending that H.B. No. 1688, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1688, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1175) recommending that H.B. No. 1710, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1710, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1176) recommending that H.B. No. 1731, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1731, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1177) recommending that H.B. No. 1831, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Health and Environment.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1831, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Health and Environment.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1178) recommending that H.B. No. 2234, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2234, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Levin and Metcalf, for the Committee on Education and the Committee on Health and Environment, presented a joint report (Stand. Com. Rep. No. 1179) recommending that H.B. No. 1105, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1105, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," passed Second

Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1180) recommending that H.B. No. 646, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 646, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1181) recommending that H.B. No. 1250, H.D. 3, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1250, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1182) recommending that H.B. No. 1824, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1824, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1183) recommending that H.B. No. 1292, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1292, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1184) recommending that H.B. No. 1836, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1836, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1185) recommending that H.B.

No. 667, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 667, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1186) recommending that H.B. No. 1762, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 24, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1187) recommending that H.B. No. 2120, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2120, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECORDING OF TRANSACTIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1188) recommending that H.B. No. 777, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 777, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1189) recommending that H.B. No. 780, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 780, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1190) recommending that H.B. No. 793, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 793, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES,"

passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1191) recommending that H.B. No. 1287, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1287, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1192) recommending that H.B. No. 1309, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1193) recommending that H.B. No. 1593 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1593, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1194) recommending that H.B. No. 1686, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1686, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1195) recommending that H.B. No. 1689, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1689, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, jointly with Senators Kawamoto and Sakamoto, for the Committee on Government Operations and Housing and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1196) recommending that H.B. No. 1692, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1692, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1197) recommending that H.B. No. 1796, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1796, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1198) recommending that H.B. No. 233 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 233, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading and was referred to the Committee on Judiciary.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1199) recommending that H.B. No. 258, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1200) recommending that H.B. No. 1367, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1367, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1201) recommending that H.B. No. 1547, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1547, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1202) recommending that H.B. No. 1696, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1696, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Iwase and Solomon, for the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1203) recommending that H.B. No. 1701, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1701, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Iwase and Solomon and Senators Kawamoto and Sakamoto, for the Committee on Economic Development, the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1204) recommending that H.B. No. 2082, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2082, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND COMMUNITY DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Tanaka and Taniguchi, for the Committee on Human Resources and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 1205) recommending that H.B. No. 1086, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1086, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WORK OPPORTUNITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1206) recommending that H.B. No. 1618, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1618, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1207) recommending that H.B. No. 1812, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1812, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed

Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1208) recommending that H.B. No. 1814, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1814, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1209) recommending that H.B. No. 1984, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1210) recommending that H.B. No. 1615 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO VACATION ALLOWANCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1211) recommending that H.B. No. 1617, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1212) recommending that H.B. No. 1906, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1906, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1213) recommending that H.B. No. 546, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 546, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.



Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1214) recommending that H.B. No. 1798 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1798, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1215) recommending that H.B. No. 130, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 130, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INCENTIVE AND INNOVATION GRANT TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1216) recommending that H.B. No. 2032, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 2032, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1217) recommending that H.B. No. 133, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 133, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL AND VOCATIONAL TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1218) recommending that H.B. No. 867, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 867, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1219) recommending that H.B. No. 1706, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1706, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING

FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1220) recommending that H.B. No. 1809, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1809, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1221) recommending that H.B. No. 2161, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 9:00 o'clock p.m., the Senate adjourned until 11:00 o'clock a.m., Monday, March 24, 1997.

## THIRTY-NINTH DAY

Monday, March 24, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:03 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major Gregory A. Ford, Chaplain, Schofield Barracks Family Life Center, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

The following student "shadows" were then introduced:

Senator Baker introduced Ian Mikami from Molokai High School;

Senator Taniguchi introduced Jaelyn Kwan from McKinley High School and Si Loi Leung from Washington Intermediate School; and

President Mizuguchi introduced Keala'ula Nieto from Anuenue Immersion School.

Senator Sakamoto then introduced Head Coach Eddie Maruyama and the Moanalua High School Boys Basketball Team, and congratulated them on becoming the 1997 State Champions.

The following introductions were then made in recognition of "Net Week 97":

Senator Anderson introduced Corwin Nunes of Kainalu Elementary School;

Senator Fukunaga introduced Jeff Chan of Roosevelt High School;

Senator Chun Oakland introduced Caesar Macapagal of Princess Victoria Kaiulani Elementary School;

Senator M. Ige introduced Alexis Keene of Kapunahala Elementary School;

Senator Baker, on behalf of Senators Tanaka, Chumbley and herself, introduced Casey Mathison of Maui High School; and

Senator D. Ige introduced Mr. K. Kim, Director of Network Services, representing the Department of Education.

At 11:23 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock a.m.

At this time, Senator Chumbley introduced his student "shadows," Ashlyn Russell of Lokelani Intermediate School and Pedro Haro of Lahainaluna High School.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 234 and 235) were read by the Clerk and were placed on file:

Gov. Msg. No. 234, dated March 6, 1997, transmitting a report prepared by the Department of Health, Hawaii Advisory Commission on Drug Abuse and Controlled Substances, pursuant to Section 329-2, HRS.

Gov. Msg. No. 235, dated March 12, 1997, transmitting a report prepared by the Department of Health pursuant to Act

189, SLH 1995, requesting the Department of Health to submit annual reports to the Legislature describing the status of the plan to provide services in the community and to ensure that the transition of Waimano Training School and Hospital residents to the community will be client-centered, taking into consideration the health, safety, and happiness of the residents and the concerns of their families.

## STANDING COMMITTEE REPORT

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1222) recommending that the Senate advise and consent to the nomination of RAYMOND S. ONO to the Western Interstate Commission for Higher Education (WICHE), in accordance with Gov. Msg. No. 192.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1222 and Gov. Msg. No. 192 was deferred until Tuesday, March 25, 1997.

## ORDER OF THE DAY

## THIRD READING

H.B. No. 1870:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1870, 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.

H.B. No. 454, H.D. 1, S.D. 1:

On motion by Senator Iwase, seconded by Senator Solomon and carried, H.B. No. 454, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 37, H.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.

H.B. No. 214, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 214, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KEAHOLE AIRPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1189, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1189, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1190, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1190, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1747:

On motion by Senator Iwase, seconded by Senator Solomon and carried, H.B. No. 1747, entitled: "A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 919:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 919, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 260:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 260, 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.

H.B. No. 369:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 369, 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.

H.B. No. 1762, S.D. 1:

Senator Kawamoto moved that H.B. No. 1762, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom rose to speak in opposition to the measure and said:

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

"Mr. President, this bill is very troubling. We had several hearings on it and a number of deferrals. It has to do with the impoundment of so-called abandoned vessels, but there was mixed testimony and conflicts, and it reflected poorly, I thought, on the Department of Transportation on some of their procedures and some of the things that they have done with vessels that have been impounded. I think in this era when we're trying to have more openness and public view, public meetings and so forth, while the sponsors of this bill tried to amend it to accomplish a number of those goals, unfortunately, the current draft, S.D. 1, was not the subject of a public hearing. And those people that had the initial objections never really had an opportunity to testify about these changes.

"So in that spirit, Mr. President, I'm going to urge a 'no' vote. Thank you."

Senator Sakamoto then rose in support of the measure and said:

"Mr. President, relating to some of the previous speaker's remarks ..."

The Chair interjected:

"Are you speaking for or against the bill?"

Senator Sakamoto continued:

"For the bill, excuse me.

"The Department of Transportation needed a remedy to dispose of vessels that may be called 'junk' or need disposal. The current procedure calls for a public auction. And for vessels less than \$5,000 the proposal was that they have a more economical, more expeditious way to dispose of the vessels. So we amended several provisions, including removing negotiations which had implied that some former employees somehow acquired vessels, so we've amended that to follow the state procurement code, as opposed to letting the department negotiate.

"We've amended the provision and gave people opportunity to submit their suggestions so that this can be a measure that can be efficient because we need efficient government. There's a provision for owners to submit their own alternate appraisal of their vessel at their own cost so that the department isn't single-handedly either appraising or just disposing of the vessels. Thank you."

The motion was then put by the Chair and carried, H.B. No. 1762, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Aki, Kanno, Slom).

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"For the last several years we've had a number of individuals in this body and in the House, and in the general community at large, talking about our problems with the increased indebtedness that the State of Hawaii was taking on, and the ramifications should we continue to go into more debt.

"Since we last met on Friday, Mr. President, we had the culmination of action taken by one of the two leading national rating organizations, Standard and Poor's, in down-rating the bond and credit worthiness of the State of Hawaii. This is a major factor and has long-range consequences not only to our fiscal picture, but also to the young people that were all sitting in the gallery here today. If we're truly concerned about our keiki and our youth, we should be more concerned with what we're doing with our bonded indebtedness.

"We also have a proposal before this legislative body from the administration to have a billion dollars more of bonds in order to jump-start the economy. Mr. President, colleagues -- debt does not jump-start the economy. We know what we need to jump-start the economy and that is simply to cut taxes, cut spending, reduce debts and do the things that the job creators have said that they need to do.

"So I urge my colleagues, as we take up further fiscal matters, that we have tremendous obligations to our community

and to our young people, particularly, not to further mortgage them and pass on this tremendous debt at higher cost now because of this bond rating lowering by Standard and Poor's.

"Thank you, Mr. President."

Senator Sakamoto also rose on a point of personal privilege and said:

"Mr. President, I'd like to rise on a point of personal privilege.

"Yesterday, some of us were here, including yourself, Mr. President, for the Youth YMCA Legislature. And just as students here were involved in other activities, that was a very worthy activity and they're looking at measures to set some similar measures to what we're considering. One student made an analogy of a tree and its roots and that brought to mind, as I read this morning's editorial page, there was library cuts and just below that talked about the economy. And I'd like to use an analogy of a tree -- just as a tree, sometimes you need to prune the top of the tree just as in library cuts, not to say which cuts are appropriate, and also the roots as the YMCA legislator had talked about roots.

"And as we look at the economy, whether it's bond ratings, sometimes we need to fertilize and maybe \$1 billion of fertilizer may not be the right amount, Mr. President, but we need to fertilize. We need to not let the roots get bound, but we also need to prune appropriately. If in your yards you don't prune the trees appropriately, there'll come a time when the tree will fall of its own weight or you'll need to prune back so severely that the tree has very little foliage at all.

"So, Mr. President, I think we should look at how to prune things and how to appropriately fertilize. And just as an off-shoot, many of you are familiar with banyan trees. Banyan trees have roots that come down at yea places, here and there, and the analogy here, Mr. President, is that may be like our public-private partnership where the tree gets so heavy that roots need to come down and be supported with roots in other areas.

"Thank you, Mr. President."

#### ADJOURNMENT

At 11:42 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 25, 1997.

## FORTIETH DAY

Tuesday, March 25, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sam Domingo, Harris United Methodist Church, after which the Roll was called showing all Senators present.

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

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

At this time, the following student "shadows" were introduced:

Senator Baker introduced Lucas Okamoto and Tyler Loo from Lanai High School;

Senator Tam introduced Sandra Kim from McKinley High School;

Senator M. Ige introduced Gary Ishida from McKinley High School;

Senator Sakamoto introduced Maelynn Jones from Farrington High School;

Senator Chun Oakland introduced Chu Hyung Lee from McKinley High School and Jeannie Randall from Roosevelt High School; and

Senator Matsunaga introduced Joel Arakaki from Jarrett Intermediate School and Matthew Dunn from Kaimuki Intermediate School.

Senator D. Ige, with the assistance of Senators Baker, Chumbley and Slom, introduced Lowell Milken, co-founder and president of the Milken Family Foundation; Dr. Julius Lesner, vice president of the Foundation; and Raymond Sugai, Lawrence Joyo, Linda Holt and Angela Church, all recipients of the Milken Family Foundation's 1996-1997 National Educator Awards.

At this time, President Mizuguchi invited Mr. Lowell Milken to address the members of the Senate and appointed Senators Tam and D. Ige to escort him to the rostrum.

Mr. Milken addressed the members of the Senate and their guests as follows:

"Good morning. Those two comments are a tough act to follow.

"On behalf of the Milken Family Foundation, let me express my gratitude for the recognition the Hawaii State Legislature has bestowed upon the foundation this morning. But in recognizing the foundation, you are really recognizing the critical importance of education -- the role that outstanding educators play and how a rigorous education is the key to helping get our young people prepared to lead lives that are productive and satisfying.

"We applaud your recognition of these outstanding educators because we believe that in a society that is quick to recognize greatness -- we see it in sports, in music, literature, and even medicine -- it's simply not fair that greatness in the most important profession there is -- education -- hasn't been part of

the celebration all along. That is why we created this program to celebrate, recognize and award outstanding educators who not only develop the potential of children, but stand as powerful role models for their students and their colleagues.

"Recognizing excellence in education is only part of the answer. So, too, is giving our educators tools to provide the quality classroom instruction our children need and deserve. And that is why for several years we have been focussed most intensively on the potential of integrating education technology into our schools. It has the potential in so many ways to enrich the learning experience of our young people -- chief among them the power to be the great equalizer in our schools.

"And I can tell you that this is not a hunch. We've observed it from coast to coast in visiting thousands of schools. It's what our research tells us, and it's what the Milken Exchange and Education Technology -- a nerve center of an emerging national network of business leaders and public officials and educators -- tells us. It also grows from our first-hand experience with many Milken educators, such as Angela Church. Thanks to technology we heard this morning, she is able to communicate with scientists on-line, she is able to communicate with kids in Finland, and she is able to create computer simulation programs stressing math and economics and city planning.

"What's happening in Angela Church's classroom can and should be happening in every classroom in this state and across the nation. While the Kalama Internet Project, the Hawaii Distance Learning Program, and the Hawaii Educational Research Network all represent exciting new initiatives, I think we all would agree that much more can be done.

"In this milestone of our 15-year history of the foundation, we see the many challenges facing education as opportunities. We can elevate the teaching profession to the status that it deserves and we can make technology a vital part of the academic program in our schools. We can best take advantage of these opportunities if we work together in partnership with each one of you, for you are the leaders who share this commitment and the belief that the future truly belongs to the educated.

"Thank you very much for this honor."

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 236, dated March 24, 1997, transmitting a report on the evaluation of the March 1996 Council on Revenues' projection, prepared by the Department of Business, Economic Development, and Tourism, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 521 to 532) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 521, transmitting H.C.R. No. 4, H.D. 1, which was adopted by the House of Representatives on March 24, 1997, was placed on file.

By unanimous consent, action on H.C.R. No. 4, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO DEVELOP AN IMPLEMENTATION PLAN

FOR OUTREACH AND DISTANCE EDUCATION PROGRAMS," was deferred until Thursday, March 27, 1997.

Hse. Com. No. 522, transmitting H.C.R. No. 43, which was adopted by the House of Representatives on March 24, 1997, was placed on file.

By unanimous consent, action on H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF PRISONS TO EXPEDITE THE CONSTRUCTION OF A SIX HUNDRED AND FIFTY BED FEDERAL DETENTION CENTER ON OAHU," was deferred until Thursday, March 27, 1997.

Hse. Com. No. 523, transmitting H.C.R. No. 48, H.D. 1, which was adopted by the House of Representatives on March 24, 1997, was placed on file.

By unanimous consent, action on H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION PERMITTING THE IMMIGRATION OF THE CHILDREN OF FILIPINO VETERANS OF WORLD WAR II TO THE UNITED STATES WITHOUT LIMIT AS TO NUMBER AND WITHOUT THE REQUIREMENT OF FINANCIAL SPONSORSHIP," was deferred until Thursday, March 27, 1997.

Hse. Com. No. 524, returning S.B. No. 5, S.D. 2, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 5, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 525, returning S.B. No. 285, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 285, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 526, returning S.B. No. 305, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 305, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 527, returning S.B. No. 333, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 333, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 528, returning S.B. No. 823, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 823, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 529, returning S.B. No. 959, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 959, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 530, returning S.B. No. 986, S.D. 1, which passed Third Reading in the House of Representatives on March 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 986, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 531, returning S.B. No. 1279, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1279, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred until Tuesday, April 1, 1997.

Hse. Com. No. 532, returning S.B. No. 1493, S.D. 1, which passed Third Reading in the House of Representatives on March 24, 1997, was placed on file.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1222 (Gov. Msg. No. 192):

Senator Aki moved that Stand. Com. Rep. No. 1222 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate consent to the nomination of RAYMOND S. ONO to the Western Interstate Commission for Higher Education (WICHE), term to expire June 30, 2001, seconded by Senator Tam.

Senator Aki then rose in support of the nominee and said:

"Mr. President, I have comments in support of Mr. Ono's nomination to the WICHE Commission. Mr. Ono is well qualified for the position and I'd like to have these comments inserted into the Journal, and ask the Senate to confirm his nomination."

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

"It is my privilege today to recommend Hawaii's newest commissioner nominee to the Western Interstate Commission for Higher Education (WICHE) from the State of Hawaii... Mr. Raymond S. Ono. He is an outstanding business and community leader and a vice president for the First Hawaiian Bank. Your Committee on Education heard testimony and confirmed Mr. Raymond S. Ono's nomination on March 17, 1997. He will be replacing Dr. Richard Kosaki. Mr. Ono's term will expire on June 30, 2001.

Our state's participation in the WICHE Student Exchange Program over the many years has enabled our bright young people to be admitted into professional schools in the Western region in such areas of study as dentistry, veterinary medicine, and physical therapy. In reciprocity, our University of Hawaii has admitted WICHE-certified students from the Western region of the United States into UH academic programs that are not available in their home state public higher education system.

As we approach the 21st century, it is vital that we confirm Mr. Raymond S. Ono who is a recognized business and community leader with strong ties to Hawaii and our young

people who represent our future civic leaders to keep Hawaii's economy and Aloha Spirit alive and well. Mr. Ono will use his business acumen and experience to promote awareness and active participation of Hawaii's young people in the WICHE Student Program.

Mr. Ono is a graduate of Iolani School (1972) and Willamette University where he earned a bachelor of science degree in economics in 1976. He also earned a master's degree from Atkinson Graduate School of Administration (1978). Mr. Ono enrolled in the Pacific Coast Banking School at the University of Washington in 1990. He is presently employed as vice president and manager of the First Hawaiian Bank South King Street Banking Center.

While residing on Maui, Mr. Ono was very active in the following community affairs:

1. Past member of the Maui Community College Horizon's Committee;
2. Past president of the Rotary Club of Kahului, Maui;
3. Past member of the Maui United Way Allocations Committee;
4. Past member of the Makai Kokua (Police Support Group);
5. Past director of the Maui Country Club;
6. Past vice president of the Maui Family Support Services;
7. Past member of the Maui Chamber of Commerce; and
8. Past member of the Maui Japanese Chamber of Commerce.

Presently, Mr. Ono is a member of the UH Foundation President's Club Committee; vice chairman of the Building Industry Association; and a member of the Home Building & Remodeling Chamber of Commerce of Hawaii.

As affirmed by the record of votes of the members of your Committee on Education, your Committee, after full consideration of the background, character, experience, and qualifications of Mr. Raymond S. Ono, has found him to be well-qualified for appointment as a WICHE Commissioner and, therefore, recommends that the Senate advise and consent to this nomination."

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

Ayes, 25. Noes, none.

#### STANDING COMMITTEE REPORT

Senators Chun Oakland and Kanno, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Human Resources and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1223) recommending that H.B. No. 139, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kanno, seconded by Senator Fernandes Salling and carried, the joint report of the Committees was adopted and H.B. No. 139, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 27, 1997.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, requested a waiver of the 72-hour Notice of a Public Hearing pursuant to Senate Rule 20 on the following resolutions: S.C.R. No. 170, S.C.R. No. 183, S.C.R. No. 194, S.C.R. No. 205, S.C.R. No. 210, S.R. No. 89, S.R. No. 99, S.R. No. 107 and S.R. No. 137, and the Chair granted the waiver.

#### APPOINTMENT OF CONFEREES

S.B. No. 175 (H.D. 1):

The President appointed Senator Tam as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 175.

H.B. No. 100, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 100, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege -- just some very brief comments on the Supreme Court decision yesterday involving the Constitutional Convention election.

"Mr. President, the opinion of the court which I have here seems, at first blush, to be a fair and equitable opinion covering the appropriate points and taking legislative intent into account, but upon closer inspection one can perceive an omission and a glaring error, Mr. President, in the court's opinion. Nowhere in that opinion does the court address HRS Section 11-151 (3), which reads as follows, Mr. President: 'If a contest or question requires a majority of the votes for passage, any blank, spoiled, or invalid ballot shall not be tallied for passage or as votes cast except that such ballots shall be counted as votes cast in ratification of a constitutional amendment.'

"That's 'shall not,' Mr. President, 'be tallied for passage or as votes cast except ... as votes cast in ratification of a constitutional amendment.' Why doesn't the court address this statute in its opinion? Why the silence? Why are the people of Hawaii and their will being silenced, and some would say and agree, for the third time this year by our state's highest court? The attorney general, the governor and the courts and all of us, Mr. President, are ultimately answerable to Hawaii's people and they look to us for our leadership. And I think that this body must take action and provide that leadership.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I, too, rise on a point of personal privilege.

"Mine is more or less on the Council on Revenues dispute now that DBEDT has come out with their findings. We've gone over everything and for those of us in Ways and Means and those of us that have talked to some of the members on the Council of Revenues, I have a problem with having DBEDT go a little higher. I think it was brought forth that if, in fact, the Council of Revenues' findings are lower, and then we take in more revenue, we're not too bad off. But if their revenue forecast is high and we take in less money and we spend that, we're then in trouble. That's like saying that you have \$100 left in your checking and you go to a bank and they look at your \$500 mortgage and you bring in \$1,000, and you have utility bills and you owe Sears and the others, and now you want to buy a new car because you're anticipating getting a part-time job as a service station attendant -- they're not going to give you that loan.

"The Council on Revenues does not do anything on anticipation. They take everything into concern here. Even DBEDT who has come up with one hundred and some odd hundred thousand dollars, I mean \$178 million, and the balance being \$78 million compared to Council of Revenues. Mr.

Brewbaker did say that they did take into consideration the construction for the CIP projects, but it was a wash. So if you take that into a part of this, then in essence we are only 17.3 million off as far as the council's figures and that's not very much, my fellow colleagues.

"I think we have to look at what we have. I think that the governor and his administration are going to have to, if they want to look at anticipated revenues, find ways to bring in revenues -- lots more than we are looking at right now. And as I said the other day on this floor, if in fact now he's considering looking at gambling and the referendum that's there, then we'd better pass something in that way so that the people can vote. If we're going to be able to use state lands and give off free rent for five years and long leases, or selling off some of the long, long leases that have been out there because the people have a short-term left and banks won't lend money, then we'd better start looking at these things.

"So I just have a problem with what came down from the department and I don't blame Mr. Seiji Naya. I have a lot of respect for him and I know he had a very difficult job. It's just that I do dispute some of the figures and I wish that we'd all look at them very, very seriously before we jump in and want to spend more money. Thank you very much."

#### ADJOURNMENT

At 12:27 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 27, 1997.



## FORTY-FIRST DAY

Thursday, March 27, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Toshinori Kasahara, Higashi Hongwanji Betsuin, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The President announced that he had read and approved the Journal of the Fortieth Day.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 533 to 539) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 533, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 214, was placed on file.

Hse. Com. No. 534, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 454, H.D. 1, was placed on file.

Hse. Com. No. 535, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1762, was placed on file.

Hse. Com. No. 536, returning S.B. No. 207, S.D. 1, which passed Third Reading in the House of Representatives on March 25, 1997, was placed on file.

Hse. Com. No. 537, returning S.B. No. 910, S.D. 1, which passed Third Reading in the House of Representatives on March 25, 1997, was placed on file.

Hse. Com. No. 538, returning S.B. No. 1300, S.D. 1, which passed Third Reading in the House of Representatives on March 25, 1997, was placed on file.

Hse. Com. No. 539, returning S.B. No. 1428, S.D. 1, which passed Third Reading in the House of Representatives on March 25, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1428, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PERMITTING," was deferred until Tuesday, April 1, 1997.

## ORDER OF THE DAY

REFERRAL OF  
HOUSE CONCURRENT RESOLUTIONSMATTERS DEFERRED FROM  
TUESDAY, MARCH 25, 1997

The Chair referred the following House concurrent resolutions that were received on Tuesday, March 25, 1997:

House  
Concurrent  
Resolution

Referred to:

No. 4, H.D. 1      Committee on Education, then to the  
Committee on Ways and Means

No. 43            Committee on Judiciary, then to the  
Committee on Ways and Means

No. 48, H.D. 1      Committee on Transportation and  
Intergovernmental Affairs, then to the Committee on Ways and  
Means

## THIRD READING

H.B. No. 139, H.D. 2, S.D. 1:

Senator Chun Oakland moved that H.B. No. 139, H.D. 2, 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 think the public has been waiting for a long time for us to take some action on the so-called 'high-three' benefits and I think that the Senate is to be congratulated on the current draft before us. There have been a number of improvements that have been made but, unfortunately, I think there are still some inequities within the bill. I think we still have some improvements to be made, so I support the bill with reservations. Thank you."

The motion was then put by the Chair and carried, H.B. No. 139, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Tam).

## RE-REFERRAL OF HOUSE BILL

The Chair re-referred the following House bill that was received:

House Bill                      Referred to:

No. 1806, H.D. 1      Jointly to the Committee on Human  
Resources and the Committee on Ways and Means

Senator Solomon rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I make my remarks in response to a letter that was submitted to the editor in the newspaper and it says: 'Same-sex version in Senate ridiculous. It is profoundly disturbing when our elected officials have less understanding of the principles of constitutional government than an elementary student who has just taken a first civics class.' Mr. President, all I can say is, 'RIGHT ON, Mark Young!' who is the author of this letter.

"Mr. President, what we have seen during the four years is senatorial arrogance opposing the popular will on the same-sex marriage issue. Our Judiciary Committee has concocted an absurd bill and, as can be seen by Mr. Young's letter, its absurdity is clear to the public. The Senate draft put all marriages, entered into heretofore or hereafter, in jeopardy of being rendered void if any court shall hold that any state law concerning marriage deprived any people of any civil rights. Mr. Young says, 'Balderdash.' I say, 'Nuts.'

"Mr. President, it's time, finally, to let the people speak. The monkey's on our back. The House bill provides an opportunity for the people to speak. If we in the Senate continue in denying that opportunity out of mano-a-mano, macho hubris, or for whatever reason, we have no rightful place in this representative body.

"Thank you, Mr. President."

Senator Anderson also rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege, if I may.

"Mr. President, in this morning's paper on the front page there is a headline that says, 'Groups sue to save immigrants' benefits.' One of them says that 'Hawaii's Gov. Ben Cayetano has joined a number of governors in opposing the cuts and has committed his administration to protecting legal immigrants from losing necessary assistance.'

"I have no problem with legal immigrants. What I do have a problem with, ladies and gentlemen, is years ago we had to have, when our forefathers came over, sponsors. And everybody was upset about the plantations, but the plantations were the sponsors. They provided housing. They provided jobs. They made sure that they could go to the store and charge as soon as they got here. And other people came over; they had to be sponsored by individuals. Today, after checking, I find out that sponsors are on welfare and sponsoring people to come in. How can we take care of a legal immigrant coming in when the sponsor is already on welfare and is just costing us more money?

"Now, I've been married a little over 39 years and for the first time in my many, many years of marriage, my wife and I have to start looking at our checkbook to make sure that we're not spending too much. With all the taxes and the lost revenues and everything that we're going through, the middle class is having one hell of a time. This state is in trouble. And I don't mind helping people but I want to know where that money is coming from. How are we going to be able to protect Hawaii on the laws that we have when they're from Washington? Are the people in Washington protecting us in immigration laws? Just what can we do to protect us? And that's why I'm a little upset. I don't mind the governor checking and finding out if Washington with our four congressional people are really working in our benefit, and then we can help the people that are here to discontinue the idea of having people come in with sponsors who are already on programs of welfare.

"So that's why I'm a little concerned about this, Mr. President, and I would hope that everybody else is because I understand the tune is something like \$7 million, and we can't take care of the people that we have now.

"Thank you very much."

Senator Iwase rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, the Senator from Kamuela touched upon, I think, something which is symptom that I'd like to address. We are struggling this session as we have for the past three sessions with a number of decisions rendered by the Supreme Court of the State of Hawaii, and it started with Baehr v Lewin. We had the PASH decision; we had Judge Healy's decision in the OHA case and we had the recent Konno decision by the Supreme Court. In some of these cases -- and some would argue in, perhaps, all of these cases -- there is great argument over whether or not the Supreme Court is properly interpreting law or following legislative intent. In the case of Judge Healy, the House, at least, has enacted measures which specifically overrule the Judge's interpretation of our laws.

"I think, Mr. President, that perhaps this is the time to call for a meeting of the three branches of government to have a little heart-to-heart talk about issues affecting the state -- the Governor, you, the Speaker of the House, and the Chief Justice. We have the state of the judiciary address -- that's fine; that's a good start, but I think more needs to be done. No one is saying that we must violate the principle of separation of powers. We

have three branches of government, but I don't think we should be travelling on separate roads. We are, after all, the government of the State of Hawaii and it is difficult for us here as a legislative branch to have to go back ... I mean we mutter under our breath; we jump up and down in private; and we make jokes about some of these decisions, but they affect the people. And we have demonstrations here at the legislature over these public issues and perhaps the judiciary should see some of these demonstrations that we have seen.

"I hope that some kind of process is going to be established, or you would consider it along with the Governor and the Speaker of the House, so that meetings can take place between the heads of the three branches of government so that this government of the State of Hawaii at least moves in one direction, and not have one trying to play catch-up or trying to save the other because he's trying to jump off a cliff.

"Thank you, Mr. President."

Senator Sakamoto then rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I'd like to agree with the previous speaker's remarks. This morning at the mayor and governor's prayer breakfast, you were there also, Mr. President. The four mayors were there; the governor was there, the chief justice and many other people were there. So I think there are opportunities, just as this morning, where all parties are at the same place at the same time, and I think I fully agree that's a very doable thing.

"And this morning the chief justice did make an error in part of his schedule and Mayor Lingle corrected him, so I think there are other opportunities to work together and maybe correct some mis-steps."

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

The Senate reconvened at 11:55 o'clock a.m.

#### ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 31, 1997.

## FORTY-SECOND DAY

Monday, March 31, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Major Donald L. Wilson, Chaplain, United States Army, after which the Roll was called showing all Senators present with the exception of Senators Aki, Anderson and Taniguchi who were excused.

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

Senator Matsunaga, with the assistance of Senators Levin and Metcalf, introduced the Hawaii Medical Association's 1996 Physicians of the Year, Dr. Elizabeth Mc Cann Adams and Drs. Roger and Anna Maria Brault. Accompanying them was Dr. John Spangler, president of the Hawaii Medical Association.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 237 to 253) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 237, submitting for consideration and confirmation to the State Board of Public Accountancy, the nominations of SCOTT H. DUNN and ARTHUR C. TOKIN, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Board of Agriculture, the nominations of: AKIRA SAKIMA, term to expire June 30, 1998; and SUSAN MATSUSHIMA, term to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 239, submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nominations of: BRIAN T. TAMAMOTO, term to expire June 30, 1998; and MOMI W. CAZIMERO and ALFRED LAURETA, terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 240, submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of TERRILL S. CHILSON, term to expire June 30, 2000, was referred to the Committee on Health and Environment.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Policy Advisory Board for Elder Affairs, the nominations of: WARREN G. HAIGHT, term to expire June 30, 1999; and ANTONE KAHAWAIOLAA JR., AGNES R. NAVARRO, SHIMEJI KANAZAWA, CAROL KIKKAWA-WARD and BEVERLY C. WONG, terms to expire June 30, 2001, was referred to the Committee on Human Resources.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nominations of GEORGE R. RODRIGUES, JR. and CLIFFORD LABOY, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Hawai'i Housing Authority, the nomination of ALLAN LOS BANOS, JR., term to expire June 30, 2001, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 244, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of RICHARD NELSON III, HERRING K. KALUA and THOMAS P. CONTRADES, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 245, submitting for consideration and confirmation to the Kaho'olawe Island Reserve Commission, the nominations of: RALPH P. DEDMAN, term to expire June 30, 2000; and A. FRENCHY DESOTO and NOA EMMETT AUWAE ALULI, M.D., terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 246, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nominations of KATHRYN WHANG INOUE and WILLIAM KENNISON, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 247, submitting for consideration and confirmation to the Oahu Library Advisory Commission, the nominations of SHARON GOODHART, SUSAN A. KOBAYASHI and NANCY G. BARRY, terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Hawai'i Library Advisory Commission, the nomination of MERCEDES B. LEIALOHA, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Kauai Library Advisory Commission, the nomination of MARY JO SWEENEY, term to expire June 30, 1998, was referred to the Committee on Education.

Gov. Msg. No. 250, submitting for consideration and confirmation to the Maui County Library Advisory Commission, the nomination of NORA A. KAWASAKI, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District (Maui County), the nomination of RICKI K. TAMANAHA, term to expire June 30, 2001, was referred to the Committee on Ways and Means.

Gov. Msg. No. 252, submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District (Hawai'i), the nomination of ALVIN WAKAYAMA, term to expire June 30, 2001, was referred to the Committee on Ways and Means.

Gov. Msg. No. 253, submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District (Kauai), the nominations of: GEORGE M. MENOR, terms to expire June 30, 1997 and June 30, 2001; and EDUARDO TOPENIO, JR., term to expire June 30, 2001, was referred to the Committee on Ways and Means.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 540 to 551) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 540, transmitting H.C.R. No. 238, H.D. 1, which was adopted by the House of Representatives on March 25, 1997, was placed on file.

By unanimous consent, H.C.R. No. 238, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE INSTALLATION OF APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 541, transmitting H.C.R. No. 245, which was adopted by the House of Representatives on March 25, 1997, was placed on file.

By unanimous consent, H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE 'HALEIWA BYPASS' IN HONOR OF THE LATE REPRESENTATIVE JOSEPH P. LEONG," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 542, transmitting H.C.R. No. 101, which was adopted by the House of Representatives on March 27, 1997, was placed on file.

By unanimous consent, H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAJOR TELEVISION NETWORKS TO INCLUDE WEATHER MAPS AND FORECASTS FOR HAWAII WHEN BROADCASTING NATIONALLY SYNDICATED PROGRAMS THAT INCLUDE NATIONAL WEATHER REPORTS," was referred to the Committee on Economic Development.

Hse. Com. No. 543, transmitting H.C.R. No. 128, H.D. 1, which was adopted by the House of Representatives on March 27, 1997, was placed on file.

By unanimous consent, H.C.R. No. 128, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE U.S. DEPARTMENT OF DEFENSE TO CONTINUE EFFORTS TO EVALUATE THE CURRENT U.S. MILITARY PRESENCE IN OKINAWA AND TO RETURN LAND AND FACILITIES TO THE PREFECTURAL GOVERNMENT," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 544, transmitting H.C.R. No. 223, which was adopted by the House of Representatives on March 27, 1997, was placed on file.

By unanimous consent, H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII CONGRESSIONAL DELEGATION TO HOMEPORT THE JAPANESE MIDGET SUBMARINE (Ha-19) AT PEARL HARBOR," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 545, returning S.B. No. 1064, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1064, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," was deferred until Friday, April 4, 1997.

Hse. Com. No. 546, returning S.B. No. 1267, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1267, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred until Friday, April 4, 1997.

Hse. Com. No. 547, returning S.B. No. 1421, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1421, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," was deferred until Friday, April 4, 1997.

Hse. Com. No. 548, returning S.B. No. 1556, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," was deferred until Friday, April 4, 1997.

Hse. Com. No. 549, returning S.B. No. 1802, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1802, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Friday, April 4, 1997.

Hse. Com. No. 550, returning S.B. No. 938, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 938, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX," was deferred until Friday, April 4, 1997.

Hse. Com. No. 551, returning S.B. No. 989, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 989, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," was deferred until Friday, April 4, 1997.

## STANDING COMMITTEE REPORTS

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1224) recommending that S.C.R. No. 222, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 222, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand Com. Rep. No. 1225) recommending that S.R. No. 108 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 108, entitled: "SENATE RESOLUTION ESTABLISHING A

BLUE RIBBON COMMITTEE TO REVIEW AND EVALUATE THE NET ENERGY METERING LAW," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1226) recommending that S.C.R. No. 248, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 248, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1227) recommending that S.R. No. 124, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 124, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1228) recommending that S.C.R. No. 249, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 249, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1229) recommending that S.R. No. 125, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1230) recommending that S.C.R. No. 26 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was adopted.

Senators Chun Oakland and Kanno, jointly with Senators Chumbley and Matsunaga, for the Committee on Human Resources and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1231) recommending that S.C.R. No. 153, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 153, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSESS THE NEEDS AND THE PROVISION OF SERVICES AND

SHELTER TO MINORS AGES FOURTEEN TO EIGHTEEN WHO ARE VICTIMS OF DOMESTIC VIOLENCE," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1232) recommending that H.B. No. 1, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1233) recommending that H.B. No. 345, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1234) recommending that H.B. No. 1216, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1235) recommending that H.B. No. 1864, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1864, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 2, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1236) recommending that the Senate advise and consent to the nomination of DOSS K. TANNEHILL to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 157.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1236 and Gov. Msg. No. 157 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1237) recommending that the Senate advise and consent to the nominations of GARY LEE and MILTON Y. MIGITA to the State Board of Barbers, in accordance with Gov. Msg. No. 182.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1237 and Gov. Msg. No. 182 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1238) recommending that the Senate advise and consent to the nomination of ANNA C. KAOHELALUII to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 183.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1238 and Gov. Msg. No. 183 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1239) recommending that the Senate advise and consent to the nomination of HIDEO ABE to the Credit Union Advisory Board, in accordance with Gov. Msg. No. 185.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1239 and Gov. Msg. No. 185 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1240) recommending that the Senate advise and consent to the nomination of LANCE H. SHIBATA to the Elevator Mechanics Licensing Board, in accordance with Gov. Msg. No. 188.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1240 and Gov. Msg. No. 188 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1241) recommending that the Senate advise and consent to the nominations of HENRY N.J. LEE and CATHERINE L. YOZA to the State Boxing Commission of Hawaii, in accordance with Gov. Msg. No. 194.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1241 and Gov. Msg. No. 194 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1242) recommending that the Senate advise and consent to the nomination of DOUGLAS K. MUKAI to the Board of Massage Therapy, in accordance with Gov. Msg. No. 199.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1242 and Gov. Msg. No. 199 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1243) recommending that the Senate advise and consent to the nominations of WAYNE G. CARVALHO and FRANK LAFITA to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 200.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1243 and Gov. Msg. No. 200 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1244) recommending that the Senate advise and consent to the nomination of TERRI LYNNE NEEDELS, Ph.D., to the Board of Psychology, in accordance with Gov. Msg. No. 201.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1244 and Gov. Msg. No. 201 was deferred until Tuesday, April 1, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1245) recommending that the Senate advise and consent to the nomination of JOHN OHAMA to the Real Estate Commission, in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1245 and Gov. Msg. No. 202 was deferred until Tuesday, April 1, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1246) recommending that S.C.R. No. 217, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 217, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVENTORY OF PARKING SPACES IN THE CENTRAL BUSINESS DISTRICT OF HONOLULU AND DEVELOPMENT OF A GRADUATED PARKING FEE SCHEDULE," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1247) recommending that S.R. No. 104, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 104, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INVENTORY OF PARKING SPACES IN THE CENTRAL BUSINESS DISTRICT OF HONOLULU AND DEVELOPMENT OF A GRADUATED PARKING FEE SCHEDULE," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1248) recommending that S.C.R. No. 42 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 42, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE INSTITUTE FOR ASTRONOMY AT THE UNIVERSITY OF HAWAII," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1249) recommending that S.C.R. No. 231, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 231, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PROGRAM FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1250) recommending that S.R. No. 116, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 116, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PROGRAM FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1251) recommending that S.C.R. No. 236, be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 236, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON EDUCATION AND THE HOUSE COMMITTEE ON EDUCATION TO DETERMINE THE ADVISABILITY OF ALLOWING THE STUDENT MEMBER ON THE BOARD OF EDUCATION TO VOTE," was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1252) recommending that S.C.R. No. 244 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 244, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1253) recommending that S.R. No. 123 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 123, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1254) recommending that S.C.R. No. 245, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 245, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A DEFINITION OF THE ROLE OF KINDERGARTEN IN A CHILD'S EDUCATIONAL PROGRESSION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1255) recommending that S.C.R. No. 252 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 252, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE THE FEASIBILITY OF ESTABLISHING AN

OFFICE OF EARLY CHILDHOOD EDUCATION WITHIN THE DEPARTMENT OF EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1256) recommending that S.C.R. No. 269 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 269, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT OF THE UNIVERSITY LABORATORY SCHOOL," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1257) recommending that S.R. No. 135 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 135, entitled: "SENATE RESOLUTION URGING SUPPORT OF THE UNIVERSITY LABORATORY SCHOOL," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1258) recommending that S.C.R. No. 270, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 270, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1259) recommending that S.C.R. No. 179 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 179, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII ETHNIC STUDIES DEPARTMENT TO DOCUMENT THE ROLE OF FIREWORKS IN HAWAII IN RELIGIOUS AND CULTURAL PRACTICES AND LOCAL CUSTOMS," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1260) recommending that S.C.R. No. 243 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 243, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF INSTALLING APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1261) recommending that S.R. No. 122 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF INSTALLING APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A

POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," was adopted.

**ORDER OF THE DAY**

**RE-REFERRAL OF HOUSE BILL**

The Chair re-referred the following House bill that was received:

House Bill	Referred to:
No. 143, H.D. 2 and Housing	Committee on Government Operations and Housing

**RE-REFERRAL OF  
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
No. 11 Affairs	Committee on Water, Land, and Hawaiian Affairs

**STANDING COMMITTEE REPORTS**

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that Senate concurrent resolutions and Senate resolutions be referred to committees of last referral. In consequence thereof, and subsequent to its recessing at 11:53 o'clock a.m., the Senate took the following actions:

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1262) recommending that S.C.R. No. 21, as amended in S.D. 1, be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 21, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1263) recommending that S.C.R. No. 50, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO INCORPORATE ASSISTIVE TECHNOLOGY CONSIDERATIONS IN ALL APPROPRIATE ADMINISTRATION MEASURES RELATING TO PERSONS WITH DISABILITIES," was referred to the Committee on Economic Development.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1264) recommending that S.C.R. No. 90, as amended in S.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R.

No. 90, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE CAUSE AND CURE OF FIBROPAPILLOMA," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1265) recommending that S.R. No. 29, as amended in S.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE CAUSE AND CURE OF FIBROPAPILLOMA," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1266) recommending that S.C.R. No. 112, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 112, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE WHETHER THE PRACTICE OF BODY PIERCING SHOULD BE REGULATED FOR REASONS OF PUBLIC HEALTH AND SAFETY," was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1267) recommending that S.R. No. 45, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE WHETHER THE PRACTICE OF BODY PIERCING SHOULD BE REGULATED FOR REASONS OF PUBLIC HEALTH AND SAFETY," was referred to the Committee on Judiciary.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1268) recommending that S.C.R. No. 126, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 126, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING INCREASED PROTECTION OF SEA TURTLES," was referred to the Committee on Economic Development.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1269) recommending that S.R. No. 58, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION URGING INCREASED PROTECTION OF SEA TURTLES," was referred to the Committee on Economic Development.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1270) recommending that S.C.R. No. 134, as amended in S.D. 1, be referred to the Committee on Water, Land, and Hawaiian Affairs.



On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 134, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CREATE AN ENDANGERED SPECIES TASK FORCE," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1271) recommending that S.C.R. No. 135, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 135, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CREATE A PESTICIDE AND CHEMICAL USE REDUCTION TASK FORCE," was referred to the Committee on Economic Development.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1272) recommending that S.R. No. 66, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 66, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CREATE A PESTICIDE AND CHEMICAL USE REDUCTION TASK FORCE," was referred to the Committee on Economic Development.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1273) recommending that S.C.R. No. 206, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 206, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE HEALTH CLINIC IN THE HALEIWA/WAIALUA AREA OF OAHU," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1274) recommending that S.R. No. 100, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 100, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO EXAMINE THE FEASIBILITY OF ESTABLISHING A PUBLIC-PRIVATE HEALTH CLINIC IN THE HALEIWA/WAIALUA AREA OF OAHU," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1275) recommending that S.C.R. No. 265, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 265, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION ON SUN PROTECTION," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1276) recommending that S.R. No. 133, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 133, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DISSEMINATION OF INFORMATION ON SUN PROTECTION," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1277) recommending that S.C.R. No. 150, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 150, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A VISA WAIVER PROGRAM FOR NATIONALS OF THE REPUBLIC OF KOREA," was referred to the Committee on Economic Development.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1278) recommending that S.R. No. 76, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 76, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A VISA WAIVER PROGRAM FOR NATIONALS OF THE REPUBLIC OF KOREA," was referred to the Committee on Economic Development.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1279) recommending that S.C.R. No. 194 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE TAX INCREMENT FINANCING FOR INFRASTRUCTURE IMPROVEMENTS FOR NEW DEVELOPMENT," was referred to the Committee on Ways and Means.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand Com. Rep. No. 1280) recommending that S.C.R. No. 191, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 191, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND NECESSITY OF AMENDMENTS TO CHAPTER 516, HAWAII REVISED STATUTES, THE LAND REFORM ACT, TO PREVENT ALLEGED ABUSES AIMED AT SMALL LAND OWNERS," was referred to the Committee on Judiciary.

Senators Iwase and Solomon, jointly with Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1281) recommending that S.C.R. No. 16, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF STATE LANDS FOR MILITARY RANGES," was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1282) recommending that S.C.R. No. 148, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 148, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PAYMENT OF EMERGENCY RESTITUTION TO ELDERLY NATIVE HAWAIIAN BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, jointly with Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1283) recommending that S.R. No. 75, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 75, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PAYMENT OF EMERGENCY RESTITUTION TO ELDERLY NATIVE HAWAIIAN BENEFICIARIES OF THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand Com. Rep. No. 1284) recommending that S.C.R. No. 192, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 192, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ENTERTAIN OFFERS OF PURCHASE FOR CERTAIN PARCELS OF STATE LAND," was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand Com. Rep. No. 1285) recommending that S.C.R. No. 212 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 212, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND KAMEHAMEHA SCHOOLS /BISHOP ESTATE TO ENTER INTO LAND EXCHANGE NEGOTIATIONS FOR CERTAIN LANDS ON THE ISLAND OF HAWAII," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1286) recommending that S.C.R. No. 103, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 103, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR MEDICALLY NECESSARY EARLY INTERVENTION OF CHILDREN UP TO THREE YEARS OF AGE," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Chumbley and Matsunaga, for the Committee on Human Resources and the Committee on Judiciary, presented a joint report (Stand Com. Rep. No. 1287) recommending that S.C.R. No. 254, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 254, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING AN INTERIM COMMITTEE ON JUVENILE JUSTICE TO STUDY THE PROBLEMS OF JUVENILE CRIME AND TO IDENTIFY EFFECTIVE TREATMENT PROGRAMS AND ALTERNATIVES TO INCARCERATION," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1288) recommending that S.C.R. No. 33, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TOW TRUCK OPERATORS," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1289) recommending that S.C.R. No. 116 be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1290) recommending that S.R. No. 49 be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 49, entitled: "SENATE RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was referred to the Committee on Judiciary.

Senators Baker and D. Ige, for the majority of the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1291) recommending that S.C.R. No. 166, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 166, S.D. 1, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE REPORT NO. 93-27, A REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR CONTRACEPTIVE SERVICES," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1292) recommending that S.C.R. No. 167, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 167, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTIVE SURGERY," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1293) recommending that S.C.R. No. 174, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 174, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1294) recommending that S.C.R. No. 256 be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 256, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," was referred to the Committee on Judiciary.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1295) recommending that S.C.R. No. 120 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NOT REDUCE THEIR BUDGET FOR REPAIRS AND MAINTENANCE OF FACILITIES," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1296) recommending that S.R. No. 53 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NOT REDUCE THEIR BUDGET FOR REPAIRS AND MAINTENANCE OF

FACILITIES," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1297) recommending that S.C.R. No. 143 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE COLLEGE AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1298) recommending that S.R. No. 71 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 71, entitled: "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A HAWAIIAN LANGUAGE COLLEGE AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1299) recommending that S.C.R. No. 169 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1300) recommending that S.R. No. 88 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 88, entitled: "SENATE RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1301) recommending that S.C.R. No. 125, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO SUPPORT THE PROCESS ESTABLISHED UNDER SECTION 6-81-19, HAWAII ADMINISTRATIVE RULES, AND THROUGH THIS PROCESS, TO CONSIDER FUNDING SOME PORTIONS OF ASK-2000 FOR THE 1997-1999 FISCAL BIENNIIUM," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand Com. Rep. No. 1302) recommending that S.C.R. No. 19, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 19, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand Com. Rep. No. 1303) recommending that S.R. No. 5, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 5, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1304) recommending that S.C.R. No. 113, as amended in S.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1305) recommending that S.R. No. 46, as amended in S.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1306) recommending that S.C.R. No. 144 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 144, entitled: "SENATE CONCURRENT RESOLUTION URGING GREATER EFFORT AND DEVOTION OF MORE RESOURCES TOWARD THE TREATMENT AND PREVENTION OF ALCOHOL AND SUBSTANCE ABUSE AMONG HAWAII'S CHILDREN AND YOUTH," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1307) recommending that S.C.R. No. 185 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 185, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RETAIN THE KALIHI-PALAMA FAMILY GUIDANCE CENTER IN KALIHI," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Baker and D. Ige, for the Committee on Health and Environment and the Committee on Commerce, Consumer Protection, and Information Technology, presented a joint report (Stand Com. Rep. No. 1308) recommending that S.C.R. No. 218, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 218, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING PAPERWORK REDUCTION REVIEWS TO BE CONDUCTED BY THE DEPARTMENTS OF ACCOUNTING AND GENERAL SERVICES, COMMERCE AND CONSUMER AFFAIRS, AND HEALTH," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Baker and D. Ige, for the Committee on Health and Environment and the Committee on Commerce, Consumer Protection, and Information Technology, presented a joint report (Stand Com. Rep. No. 1309) recommending that S.R. No. 105, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING PAPERWORK REDUCTION REVIEWS TO BE CONDUCTED BY THE DEPARTMENTS OF ACCOUNTING AND GENERAL SERVICES, COMMERCE AND CONSUMER AFFAIRS, AND HEALTH," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Aki and Tam, for the Committee on Health and Environment and the Committee on Education, presented a joint report (Stand Com. Rep. No. 1310) recommending that S.C.R. No. 247, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 247, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EVALUATION OF EXISTING COMMUNITY-BASED AND HIGH SCHOOL-BASED PROGRAMS WHICH IDENTIFY CHILDREN AND YOUTH IN NEED OF COUNSELING AND REFERRAL TO ALCOHOL AND SUBSTANCE ABUSE PROGRAMS," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1311) recommending that S.C.R. No. 273, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 273, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE ENVIRONMENTAL ADVISORY TASK FORCE," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1312) recommending

that S.C.R. No. 164 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1313) recommending that S.R. No. 84 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.R. No. 84, entitled: "SENATE RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1314) recommending that S.C.R. No. 165 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 165, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHU CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1315) recommending that S.R. No. 85 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHU CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1316) recommending that S.C.R. No. 183 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAE DISTRICT FLOODING," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1317) recommending that S.C.R. No. 204, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 204, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CROSSING GATES AND FLASHING SIGNALS AT RAILROAD CROSSINGS," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1318) recommending that S.R. No. 98, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CROSSING GATES AND FLASHING SIGNALS AT RAILROAD CROSSINGS," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1319) recommending that S.C.R. No. 205 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 205, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY OF DESIGNING, PLANNING, AND CONSTRUCTING A NEW BRIDGE INTO WAHIAWA," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1320) recommending that S.R. No. 99 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 99, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY OF DESIGNING, PLANNING, AND CONSTRUCTING A NEW BRIDGE INTO WAHIAWA," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1321) recommending that S.C.R. No. 210, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 210, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE IMPACT OF PHASING OUT THE USE OF GOVERNMENT-OWNED PASSENGER MOTOR VEHICLES TO PERFORM STATE BUSINESS BY ENCOURAGING STATE EMPLOYEES TO USE THEIR PERSONAL VEHICLES," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1322) recommending that S.C.R. No. 223 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 223, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a

report (Stand Com. Rep. No. 1323) recommending that S.R. No. 109 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 109, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1324) recommending that S.C.R. No. 242 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 242, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1325) recommending that S.R. No. 121 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 121, entitled: "SENATE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand Com. Rep. No. 1326) recommending that S.R. No. 137, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 137, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A TRAFFIC ASSESSMENT STUDY FOR IMPROVING THE EFFICIENCY OF KANEOHE BAY DRIVE," was referred to the Committee on Ways and Means.

Senators Tanaka and Taniguchi, jointly with Senators Chumbley and Matsunaga, for the Committee on Economic Development and the Committee on Judiciary, presented a joint report (Stand Com. Rep. No. 1327) recommending that S.C.R. No. 23, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 23, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE ECONOMIC STUDY ON THE DEVELOPMENT OF A PARIMUTUEL HORSE RACING INDUSTRY IN HAWAII," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and the Committee on Judiciary, presented a joint report (Stand Com. Rep. No. 1328) recommending that S.C.R. No. 201, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 201, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF EDUCATION TO FORM A PARTNERSHIP TO PROVIDE MORE SPECIALIZED IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL SECURITY ATTENDANTS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chumbley and Matsunaga, for the Committee on Education and the Committee on Judiciary, presented a joint report (Stand Com. Rep. No. 1329) recommending that S.R. No. 95, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 95, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF EDUCATION TO FORM A PARTNERSHIP TO PROVIDE MORE SPECIALIZED IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL SECURITY ATTENDANTS," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1330) recommending that S.C.R. No. 2, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSIST THE LEGISLATURE IN ESTABLISHING AN APPROPRIATE SALARY STRUCTURE AND PAY INCREMENTS FOR LENGTH OF CONTINUOUS CREDITABLE JUDICIAL SERVICE TO THE STATE," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1331) recommending that S.C.R. No. 51 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO JOIN A COALITION OF STATES NOW SUING THE TOBACCO COMPANIES FOR INCREASED COSTS OF LOCAL MEDICAL CARE DUE TO THEIR ALLEGED NEGLIGENT AND DECEPTIVE PRACTICES," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1332) recommending that S.C.R. No. 199 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 199, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO REVIEW THE VIABILITY OF DOMESTIC VIOLENCE BATTERER TREATMENT PROGRAMS FOR PERSONS CONVICTED OF OFFENSES INVOLVING THE ABUSE OF A FAMILY OR HOUSEHOLD MEMBER," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1333)

recommending that S.C.R. No. 219, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 219, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO REPORT ON THE EFFECTS OF DOMESTIC VIOLENCE ON CHILD WITNESSES AND MAKE RECOMMENDATIONS FOR APPROPRIATE PREVENTION AND TREATMENT PROGRAMS," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1334) recommending that S.C.R. No. 240, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 240, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW AND ASSESS ITS POLICY ON THE ISSUANCE OF BADGES AND IDENTIFICATION CARDS TO PERSONS HAVING COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 1335) recommending that S.R. No. 119, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW AND ASSESS ITS POLICY ON THE ISSUANCE OF BADGES AND IDENTIFICATION CARDS TO PERSONS HAVING COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1336) recommending that S.C.R. No. 114, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1337) recommending that S.R. No. 47, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 47, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO AUTHORIZE A CHECKOFF ON THE FEDERAL INCOME TAX RETURN FOR DONATIONS TO A STATE ENVIRONMENTAL FUND," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No.

1338) recommending that S.C.R. No. 155 be referred to the Committee on Human Resources.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was referred to the Committee on Human Resources.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1339) recommending that S.R. No. 80 be referred to the Committee on Human Resources.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was referred to the Committee on Human Resources.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1340) recommending that S.C.R. No. 220, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 220, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EXAMINE CURRENT POLICIES AND PROCEDURES RELATING TO THE CARE OF SURVIVORS OF SEXUAL ASSAULT WHO MAY BE INFECTED WITH HIV," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1341) recommending that S.C.R. No. 258, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 258, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING LANGUAGE TO CREATE A RETAIL TOBACCO SALES LICENSE TO REDUCE ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1342) recommending that S.R. No. 126 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING LANGUAGE TO CREATE A RETAIL TOBACCO SALES LICENSE TO REDUCE ILLEGAL SALES OF TOBACCO PRODUCTS TO MINORS," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand Com. Rep. No. 1343) recommending that S.C.R. No. 274 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R.

No. 274, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF MENTAL HEALTH SERVICES FOR EAST HONOLULU," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1344) recommending that S.C.R. No. 151 be referred to the Committee on Judiciary.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was referred to the Committee on Judiciary.

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report (Stand Com. Rep. No. 1345) recommending that S.C.R. No. 156, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 156, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO DEVELOP A JOINT BROCHURE TO INFORM CONSUMERS AND PROVIDERS ABOUT ACCESS TO MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES UNDER THE QUEST PROGRAM, INCLUDING THOSE AVAILABLE ON THE ISLAND OF HAWAII," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1346) recommending that S.C.R. No. 203, as amended in S.D. 1, be referred to the Committee on Transportation and Intergovernmental Affairs.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 203, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," was referred to the Committee on Transportation and Intergovernmental Affairs.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1347) recommending that S.C.R. No. 215, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 215, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE APPROPRIATENESS OF MEMBERSHIP REPRESENTATION ON THE EMPLOYEES' RETIREMENT SYSTEM'S BOARD OF TRUSTEES," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report (Stand Com. Rep. No. 1348) recommending that S.C.R. No. 250 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 250, entitled: "SENATE CONCURRENT

RESOLUTION CREATING A TASK FORCE TO EXPLORE THE NEED FOR A CABINET-LEVEL DEPARTMENT TO SERVE AS THE FOCAL POINT FOR AGING ISSUES IN HAWAII," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1349) recommending that S.C.R. No. 251, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 251, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS IN THE UNITED STATES CONGRESS TO PROVIDE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS WHO HAVE BEEN DENIED PARTICIPATION IN THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM AND TO RETURN THESE INDIVIDUALS TO THE PROGRAM, AND TO RESTORE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS FOR ALL NEED-BASED PROGRAMS," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1350) recommending that S.C.R. No. 253 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 253, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CLARIFY WHAT CONSTITUTES AN "INDEPENDENT CONTRACTOR"," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1351) recommending that S.C.R. No. 268, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 268, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RETIREMENT BENEFITS FOR CONSERVATION RESOURCE ENFORCEMENT OFFICERS, DEPUTY SHERIFFS, AND LIQUOR COMMISSION INVESTIGATORS," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1352) recommending that S.C.R. No. 233, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 233, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1353) recommending that S.R. No. 118, as amended in S.D. 1, be referred to the Committee on Ways and Means.



On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1354) recommending that S.C.R. No. 275 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 275, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS," was referred to the Committee on Ways and Means.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand Com. Rep. No. 1355) recommending that S.R. No. 139 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 139, entitled: "SENATE RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Kawamoto and Sakamoto, for the Committee on Education and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand Com. Rep. No. 1356) recommending that S.C.R. No. 12, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 12, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PROTECTION AND PRESERVATION OF THE HAWAIIAN HISTORIC, CULTURAL, AND SPIRITUAL RESOURCES IN THE CORRIDOR AND AREAS ADJACENT TO THE PROPOSED ALI'I HIGHWAY IN KONA," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Tanaka and Taniguchi, for the Committee on Education and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 1357) recommending that S.C.R. No. 207, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 207, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII PERFORM A FEASIBILITY STUDY TOWARDS ESTABLISHING A HEALTH AND WELLNESS CENTER WITHIN THE DEPARTMENT OF FAMILY PRACTICE AND COMMUNITY HEALTH IN THE JOHN A. BURNS SCHOOL OF MEDICINE," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Tanaka and Taniguchi, for the Committee on Education and the Committee on Economic Development, presented a joint report (Stand Com. Rep. No. 1358) recommending that S.R. No. 101, as

amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 101, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII PERFORM A FEASIBILITY STUDY TOWARDS ESTABLISHING A HEALTH AND WELLNESS CENTER WITHIN THE DEPARTMENT OF FAMILY PRACTICE AND COMMUNITY HEALTH IN THE JOHN A. BURNS SCHOOL OF MEDICINE," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Chun Oakland and Kanno, for the Committee on Education and the Committee on Human Resources, presented a joint report (Stand Com. Rep. No. 1359) recommending that S.C.R. No. 266 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 266, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT AN AUDIT OF THE EXECUTIVE/MANAGERIAL EMPLOYEES OF THE UNIVERSITY OF HAWAII AT MANOA," was referred to the Committee on Ways and Means.

Senators Aki and Tam, jointly with Senators Levin and Metcalf, for the Committee on Education and the Committee on Health and Environment, presented a joint report (Stand Com. Rep. No. 1360) recommending that S.C.R. No. 272, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 272, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO ENSURE THE CONTINUED VIABILITY OF THE SCHOOL OF PUBLIC HEALTH WITHIN THE UNIVERSITY SYSTEM," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1361) recommending that S.C.R. No. 39, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO COLLABORATE WITH OTHER EDUCATIONAL ORGANIZATIONS TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1362) recommending that S.R. No. 11, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 11, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO COLLABORATE WITH OTHER EDUCATIONAL ORGANIZATIONS TO DEVELOP AND MAINTAIN A SIX-YEAR PLAN FOR FUNDING PUBLIC EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1363) recommending

that S.C.R. No. 79 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 79, entitled: "SENATE CONCURRENT 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," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1364) recommending that S.R. No. 18 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 18, entitled: "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," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1365) recommending that S.C.R. No. 117, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER, SPRING, CHRISTMAS, AND INTERSESSION BREAKS, AND DURING NON-ACADEMIC STUDENT HOURS, WITH COMPENSATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1366) recommending that S.R. No. 50, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER PROVIDING IN-SERVICE TRAINING OPPORTUNITIES FOR SCHOOL-LEVEL CERTIFICATED PERSONNEL OVER THE SUMMER, SPRING, CHRISTMAS, AND INTERSESSION BREAKS, AND DURING NON-ACADEMIC STUDENT HOURS, WITH COMPENSATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1367) recommending that S.C.R. No. 118, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF

EDUCATION TO DEVELOP A PLAN, SHORT-TERM OR LONG-TERM, ON ITS OWN OR THROUGH A TASK FORCE, TO REDUCE THE STATEWIDE STUDENT-TEACHER RATIO TO ONE THAT IS MUTUALLY ACCEPTABLE TO ALL AFFECTED PARTIES," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1368) recommending that S.R. No. 51, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A PLAN, SHORT-TERM OR LONG-TERM, ON ITS OWN OR THROUGH A TASK FORCE, TO REDUCE THE STATEWIDE STUDENT-TEACHER RATIO TO ONE THAT IS MUTUALLY ACCEPTABLE TO ALL AFFECTED PARTIES," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1369) recommending that S.C.R. No. 119, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 119, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEFINE EACH GRADE LEVEL'S ROLE IN THE EDUCATIONAL PROCESS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1370) recommending that S.R. No. 52, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 52, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEFINE EACH GRADE LEVEL'S ROLE IN THE EDUCATIONAL PROCESS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1371) recommending that S.C.R. No. 122 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP INNOVATIVE MEANS FOR THE MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1372) recommending that S.R. No. 55 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 55, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP INNOVATIVE MEANS FOR THE MAINTENANCE AND REPAIR OF SCHOOL COMPUTERS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1373) recommending that S.C.R. No. 123, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 123, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION REVIEW RULES AND REGULATIONS CONCERNING THE HEALTH AND SAFETY OF STUDENTS USING CHEMICALS AND SCIENCE EQUIPMENT," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1374) recommending that S.R. No. 56, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 56, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION REVIEW RULES AND REGULATIONS CONCERNING THE HEALTH AND SAFETY OF STUDENTS USING CHEMICALS AND SCIENCE EQUIPMENT," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1375) recommending that S.C.R. No. 138, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 138, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION ESTABLISH A FOREIGN LANGUAGE CURRICULUM PLAN WITH THE FUTURE GOAL OF INCLUDING FOREIGN LANGUAGE INTO ITS ELEMENTARY SCHOOL CURRICULUM," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1376) recommending that S.R. No. 67, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION ESTABLISH A FOREIGN LANGUAGE CURRICULUM PLAN WITH THE FUTURE GOAL OF INCLUDING FOREIGN LANGUAGE INTO ITS ELEMENTARY SCHOOL CURRICULUM," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1377) recommending that S.C.R. No. 147, as amended in S.D. 1, be referred to the Committee on Human Resources.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was referred to the Committee on Human Resources.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1378) recommending

that S.R. No. 74, as amended in S.D. 1, be referred to the Committee on Human Resources.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was referred to the Committee on Human Resources.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1379) recommending that S.C.R. No. 160, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 160, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE UNIVERSITY OF HAWAII COLLEGE OF BUSINESS ADMINISTRATION'S GOALS AND OBJECTIVES RELATING TO THE BUSINESS COMMUNITY," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1380) recommending that S.C.R. No. 162, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 162, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ESTABLISH A STATE LIBRARY TASK FORCE," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1381) recommending that S.C.R. No. 171, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1382) recommending that S.C.R. No. 173, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE HAWAII STATE LIBRARY BOOK CONTRACT WITH BAKER AND TAYLOR," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1383) recommending that S.C.R. No. 180 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 180, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH CLEAR AND CONSISTENT OBJECTIVES FOR SPECIAL NEEDS SCHOOLS TO GUIDE

PROGRAMMING AND BUDGETING DECISIONS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1384) recommending that S.C.R. No. 182, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 182, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1385) recommending that S.R. No. 92, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1386) recommending that S.C.R. No. 184 be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A COMMISSION ON THE TWENTY-FIRST CENTURY," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1387) recommending that S.C.R. No. 277, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 277, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION, THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AND THE HAWAII SCHOOL OFFICE SERVICES ASSOCIATION DEVELOP A PLAN TO PROVIDE FUTURE CLERICAL STAFFING TO ALL SCHOOLS," was referred to the Committee on Ways and Means.

#### ADJOURNMENT

At 7:00 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 1, 1997.

## FORTY-THIRD DAY

Tuesday, April 1, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:45 o'clock a.m. with the President in the Chair.

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

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 254 to 276) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 254, informing the Senate that on March 31, 1997, he signed into law S.B. No. 1493 as Act 4, entitled: "RELATING TO LIMITED LIABILITY COMPANIES," was placed on file.

Gov. Msg. No. 255, submitting for consideration and confirmation to the State Board of Public Accountancy, the nomination of STEPHEN Y.H. KWOCK, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 256, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of: EDITH C. PASCUA, term to expire June 30, 1998; and JUDITH A. YOUNG, term to expire June 30, 2001, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 257, submitting for consideration and confirmation to the Contractors License Board, the nominations of TSUKASA MURAKAMI, R. P. BUCK SCHIPA, CHARLIE T. RODGERS, GERARD SAKAMOTO and EDGAR M. YOKOYAMA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 258, submitting for consideration and confirmation to the Convention Center Authority, the nomination of RICHARD L. HUMPHREYS, term to expire June 30, 1998, was referred to the Committee on Economic Development.

Gov. Msg. No. 259, submitting for consideration and confirmation to the Board of Cosmetology, the nominations of JAN A. NAKAHARA, MITZI C. H-YAMAMOTO and KENNETH R. JOYNER, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 260, submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of MODESTA S. GAERLAN-TOKUNAGA, D.D.S., MARTIN K. OISHI, D.D.S., JANEEN-ANN A. OLDS and CYNTHIA YAMADA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 261, submitting for consideration and confirmation to the Commission on Persons with Disabilities, the nominations of: GRETCHEN S. LAWSON, term to expire June 30, 2000; and CHRISTINA M. PILKINGTON and HAROLD DE COSTA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Hawai'i Community Development Authority, the nomination of JAMES K. TSUGAWA, term to expire June 30, 1998, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Board of Directors of the Hawai'i Hurricane Relief Fund, the nominations of CAROLEE C. KUBO, JANIS C. AKUNA and STEPHEN E. GOMES, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Island Burial Council, Island of Hawai'i, the nominations of MARIE J. SOLOMON and GERALDINE K. BELL, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 265, submitting for consideration and confirmation to the Island Burial Council, Islands of Kauai and Niihau, the nomination of ALTHEA K.L. ARINAGA, term to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 266, submitting for consideration and confirmation to the Island Burial Council, Islands of Maui and Lanai, the nominations of: CLIFFORD J. NAE'OLE, term to expire June 30, 1998; and ANTHONY H. AKANA, MICHAEL P. MINN and ROBERT AIWOHI, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 267, submitting for consideration and confirmation to the Island Burial Council, Island of Molokai, the nominations of MYRLE P. FLOREA, RONALD KIMBALL and ANNA D. GOODHUE, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 268, submitting for consideration and confirmation to the Island Burial Council, Island of Oahu, the nominations of KALANI KAPU, LAURA KALUA MANUEL and R. ERIC BEAVER, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 269, submitting for consideration and confirmation to the Kaneohe Bay Regional Council, the nominations of GRETCHEN M. GOULD and KIM NICHOLAS HOLLAND, Ph.D., terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 270, submitting for consideration and confirmation to the State Council on Mental Health, the nominations of: LINDA COCHRAN and ROBERT K. WEAD, terms to expire June 30, 2000; and GABRIELLE B. BATZER, M.D., LAURA FLANNELLY, Ph.D., PAT MILLER, JOHN L. NOLAND and PATRICIA O'NEAL, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 271, submitting for consideration and confirmation to the Molokai Irrigation System Water Users Advisory Board, the nomination of THOMAS DECOURCY, term to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of CLYDE M. FUJIKAWA, PAUL JOSEPH CONRY and AINSLEY A. AHLO, terms to expire June 30,

2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Procurement Policy Office Board, the nomination of CLAIRE H. MOTODA, term to expire June 30, 2001, was referred to the Committee on Government Operations and Housing.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of: JANE FUKUNAGA, term to expire June 30, 1999; and CHERYL K. HETHERINGTON, JANICE S. HIGASHI and THOMAS L. WARLING, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 275, submitting for consideration and confirmation to the Board of Directors, Research Corporation of the University of Hawaii, the nominations of WALTER NUNOKAWA, Ph.D., and HERBERT A. SEGAWA, terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 276, submitting for consideration and confirmation to the Commission on Water Resource Management, the nominations of ROBERT G. GIRALD and DAVID A. NOBRIGA, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

#### STANDING COMMITTEE REPORTS

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1388) recommending that S.C.R. No. 14, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 14, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF GIVING PREFERENCE TO HAWAII'S SMALL BUSINESSES, SMALL DISADVANTAGED BUSINESSES, WOMEN OWNED SMALL BUSINESSES, AND NATIVE HAWAIIAN OWNED SMALL BUSINESSES IN THE CLEANUP AND RESTORATION OF KAHO'OLAWA ISLAND CONTRACT," was adopted.

Senators Iwase and Solomon, jointly with Senators Kawamoto and Sakamoto, for the Committee on Water, Land, and Hawaiian Affairs and the Committee on Transportation and Intergovernmental Affairs, presented a joint report (Stand. Com. Rep. No. 1389) recommending that S.C.R. No. 10 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PUA KA 'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL OCEAN ACTIVITIES," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1390) recommending that S.C.R. No. 11 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 11, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON NATIVE HAWAIIAN CULTURAL FOOD RESOURCES," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1391) recommending that S.C.R. No. 109 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE MANAGEMENT OF THE MAUNA KEA SCIENCE RESERVE," was adopted.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1392) recommending that H.B. No. 148, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 148, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOW TRUCKS," passed Second Reading and was recommitted to the Committee on Commerce, Consumer Protection, and Information Technology.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1393) recommending that H.B. No. 939, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 939, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 3, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1394) recommending that H.B. No. 1450, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 3, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1395) recommending that H.B. No. 2239, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2239, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 3, 1997.

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1236 (Gov. Msg. No. 157):

Senator Baker moved that Stand. Com. Rep. No. 1236 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DOSS K. TANNEHILL to the Board of

Dispensing Opticians, term to expire June 30, 2000, seconded by Senator D. Ige.

Senator Baker rose in support of the nominations and said:

"Mr. President, on behalf of your Committee on Commerce, Consumer Protection, and Information Technology, I have some remarks in support of all of these nominees and ask the body's favorable consideration to advise and consent. I'd like those remarks inserted into the Journal."

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

"Mr. President, I rise to speak in favor of these nominations.

"Mr. President and colleagues, your Committee on Commerce, Consumer Protection, Information Technology diligently questioned the candidates and found them to be qualified to fulfill the responsibilities of their respective board duties. While each candidate brings a wealth of education, experience and skills to their respective positions, your committee was most impressed with their commitment and dedication to public service.

"In making its recommendation, Mr. President, your committee was mindful of the importance the various boards and commissions have with regard to ensuring that licensed professionals are practicing their vocations with the highest standard of integrity and that consumers in the marketplace are well protected. We are confident that the candidates before us will make a positive contribution to the board or commission they seek.

"On behalf of Co-Chair Senator David Ige and myself, we strongly recommend confirmation of Doss Tannehill to the Board of Dispensing Opticians; Gary Lee and Milton Migita to the State Board of Barbers; Anna Kaohelaulii to the State Board of Chiropractic Examiners; Hideo Abe, to the Credit Union Advisory Board; Lance Shibata to the Elevator Mechanics Licensing Board; Henry Lee and Catherine Yoza, to the State Boxing Commission; Douglas Mukai to the Board of Massage Therapy; Wayne Carvalho and Frank Lafita, to the Board of Private Detectives and Guards; Terri Lynne Needles, Ph.D., to the Board of Psychology; and John Ohama to the Real Estate Commission.

"Thank you, Mr. President."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1237 (Gov. Msg. No. 182):

Senator Baker moved that Stand. Com. Rep. No. 1237 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of GARY LEE and MILTON Y. MIGITA to the State Board of Barbers, terms to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1238 (Gov. Msg. No. 183):

Senator Baker moved that Stand. Com. Rep. No. 1238 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of ANNA C. KAOHELALUII to the State Board of Chiropractic Examiners, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1239 (Gov. Msg. No. 185):

Senator Baker moved that Stand. Com. Rep. No. 1239 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of HIDEO ABE to the Credit Union Advisory Board, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1240 (Gov. Msg. No. 188):

Senator Baker moved that Stand. Com. Rep. No. 1240 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of LANCE H. SHIBATA to the Elevator Mechanics Licensing Board, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1241 (Gov. Msg. No. 194):

Senator Baker moved that Stand. Com. Rep. No. 1241 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of HENRY N.J. LEE and CATHERINE L. YOZA to the State Boxing Commission of Hawaii, terms to expire June 30, 2000, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1242 (Gov. Msg. No. 199):

Senator Baker moved that Stand. Com. Rep. No. 1242 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of DOUGLAS K. MUKAI to the Board of Massage Therapy, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1243 (Gov. Msg. No. 200):

Senator Baker moved that Stand. Com. Rep. No. 1243 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of WAYNE G. CARVALHO and FRANK LAFITA to the Board of Private Detectives and Guards, terms to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1244 (Gov. Msg. No. 201):

Senator Baker moved that Stand. Com. Rep. No. 1244 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of TERRI LYNNE NEEDELS, Ph.D., to the Board of Psychology, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1245 (Gov. Msg. No. 202):

Senator Baker moved that Stand. Com. Rep. No. 1245 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JOHN OHAMA to the Real Estate Commission, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 25. Noes, none.

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM TUESDAY, MARCH 25, 1997

S.B. No. 5, S.D. 2 (H.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 5, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 285, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 285, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley then noted:

"Mr. President, for the most part, these are technical non-substantive in nature and we agree with those changes."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 285, S.D. 1, and S.B. No. 285, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COURTS," was placed on the calendar for Final Reading on Thursday, April 3, 1997.

S.B. No. 305, S.D. 1 (H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 305, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

S.B. No. 333, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 333, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, again these are mostly technical and non-substantive in nature and we agree to the changes."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 333, S.D. 1, and S.B. No. 333, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," was placed on the calendar for Final Reading on Thursday, April 3, 1997.

S.B. No. 823, S.D. 1 (H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 823, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 959 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 959, seconded by Senator D. Ige.

Senator Baker explained:

"Mr. President, the House made only a clarifying amendment to which your committee agrees."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 959 and S.B. No. 959, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT," was placed on the calendar for Final Reading on Thursday, April 3, 1997.

S.B. No. 986, S.D. 1 (H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 986, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1279, S.D. 1 (H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1279, S.D. 1, and requested a conference on the subject matter thereof.



In accordance therewith, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

**MATTER DEFERRED FROM  
THURSDAY, MARCH 27, 1997**

S.B. No. 1428, S.D. 1 (H.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1428, S.D. 1, and requested a conference on the subject matter thereof.

Senator Sakamoto rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"This morning's paper talks about same-sex marriage and it's an issue that we need to resolve.

"My office has conducted a survey that found that the majority of Hawaii's voters find the current Senate language in H.B. No. 117 confusing. When the people saw the actual language for the constitutional amendment, 38 percent thought it supports same-sex marriage; 20 percent thought it did not support same-sex marriage; 27 percent did not know; and 5 percent had no opinion. Something is wrong here. If people do not understand what it means, how can they make the choice that they want. The survey showed that 72 percent of Hawaii's people still oppose same-sex marriage. Also, the majority of the respondents -- 60 percent -- did agree that the proposed Senate language did not give Hawaii's voters a clean choice.

"A memorandum will be going out today to all Legislators discussing the findings of this survey and I hope that we will work diligently to come to an agreement on the language in H.B. No. 117.

"Mr. President, we, the Legislature, have promised the voters that they would have something to vote on. Let's keep that promise.

"I ask that the additional remarks from my survey be included in the Journal. Thank you."

The Chair having so ordered, Senator Sakamoto's remarks on his survey read as follows:

**"SURVEY SHOWS HAWAII'S VOTERS FIND SENATE  
LANGUAGE FOR SAME SEX AMENDMENT CONFUSING**

"Today, Senator Norman Sakamoto released survey results showing that the majority of Hawaii voters find the proposed Senate language confusing.

"In the survey, people were asked to respond to the actual wording for the question that would appear on the ballot and to the language that would be included in the State Constitution if the Senate draft for H.B. No. 117 becomes final.

"The survey shows that 72 percent of Hawaii's population still oppose same-sex marriage. Supporters of same-sex marriage made up 14 percent and those with no opinion, 13 percent.

"The major finding of the survey was that when voters saw the actual wording, they were not sure what it meant.

"There was no consensus among the survey respondents as to what the Senate proposed language means: 38 percent thought it supported same-sex marriage, 20 percent thought it did not support same-sex marriage, 27 percent did not know, and 5 percent had no opinion.

"Several of the respondents were critical of the Senate language. One said, 'Put em in plain English.' Another person felt that the proposed ballot question and the language for the Constitution were trying to say two things at the same time. Many of the respondents (42 percent) rated the Senate language 'very difficult' to understand. Despite the confusion over the meaning of the Senate draft, there was a strong consensus (60 percent) who agreed that the proposed Senate draft did not give Hawaii's voters a clean choice.

"Senator Sakamoto noted that the survey results confirm what many of the critics have been saying -- Hawaii voters deserve a clean choice and the current Senate language does not give them that choice.

"The survey shows that the current Senate language is unworkable. It confuses the people. If they don't understand what the language is about, how can they make the choice they want? What Hawaii's voters need is language that they can understand. They want something that is clear and understandable so that when they go into the voting booth, they can decide what marriage means for Hawaii.

"The survey also brought to light the potential for a voters backlash. Two thirds of the respondents said they would respond 'negatively' or 'very negatively' if the proposed Senate language were to result in the legalization of same-sex marriage. This finding provides evidence to the concern of some people that if the proposed constitutional amendment does not give the voters what they want, another electoral backlash against Legislators may be in the making.

"Senator Sakamoto commented, 'There remains only a little over a week for the Senate and the House conferees to come to an agreement on the constitutional amendment. I urge my colleagues to use that time actively. This Legislature has promised that they would give to the people of Hawaii a constitutional amendment. Let us keep that promise.'"

**ADJOURNMENT**

At 11:57 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 2, 1997.

## FORTY-FOURTH DAY

Wednesday, April 2, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jonathan Heierman, Joy of Christ Lutheran Church, after which the Roll was called showing all Senators present with the exception of Senators Baker and Solomon who were excused.

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

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

Senator Levin, with the assistance of Senators Metcalf and McCartney, introduced Don Robbs, Jim Becker, Jerri Chong, Carlos Molina, Stephen Komori, Ed Robello and Kei Yamamoto from Hawaii Public Television in honor of its 25th year of service to the people of Hawaii.

Senator M. Ige, with the assistance of Senators Sakamoto, Bunda and Iwase, introduced the Honolulu Japanese Junior Chamber of Commerce 45th Annual Cherry Blossom Festival Queen, Cheryl Koide, and her Court, First Princess Alyssa Nako, Princess Suzanne Yamada, and Miss Popularity and Congeniality Shawn Matsunaga. Accompanying the young ladies were Andrew Wang, president, and Alan Okimoto, pageant chair.

At this time, the President appointed Senators M. Ige, McCartney and Anderson to escort Queen Cheryl Koide to the rostrum where she addressed the members of the Senate and their guests as follows:

"On behalf of the Honolulu Japanese Junior Chamber of Commerce and the 45th Cherry Blossom Festival Court, I would like to just say that it is an honor to be here today to receive these prestigious proclamations. We are all very excited about our new responsibilities and we look forward to representing the Japanese community in Hawaii and the State of Hawaii during our travels to the U.S. Mainland and Japan.

"Once again, thank you for bestowing upon us this great honor, and thank you Senators for all of your hard work and dedication to better our State of Hawaii.

"Thank you."

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 277, dated March 18, 1997, transmitting the HFDC 1996 Annual Report and Combined Financial Statements prepared by Grant Thornton, Certified Public Accountants, and the Department of Budget and Finance, Housing Finance and Development Corporation, pursuant to Section 201E-40, HRS, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 552 to 564) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 552, transmitting H.C.R. No. 50, H.D. 1, which was adopted by the House of Representatives on March 31, 1997, was placed on file.

By unanimous consent, H.C.R. No. 50, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CREATION OF A TASK FORCE TO EVALUATE THE COURT ANNEXED ARBITRATION PROGRAM," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 553, transmitting H.C.R. No. 205, which was adopted by the House of Representatives on March 31, 1997, was placed on file.

By unanimous consent, H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was referred to the Committee on Health and Environment, then to the Committee on Water, Land, and Hawaiian Affairs.

Hse. Com. No. 554, transmitting H.C.R. No. 231, which was adopted by the House of Representatives on March 31, 1997, was placed on file.

By unanimous consent, H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was referred to the Committee on Judiciary.

Hse. Com. No. 555, transmitting H.C.R. No. 267, H.D. 1, which was adopted by the House of Representatives on March 31, 1997, was placed on file.

By unanimous consent, H.C.R. No. 267, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON PLANS TO RELOCATE ANY PARTS OF THE INSTITUTE FOR ASTRONOMY TO THE BIG ISLAND," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 556, returning S.B. No. 1242, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1242, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS," was deferred until Friday, April 4, 1997.

Hse. Com. No. 557, returning S.B. No. 1578, which passed Third Reading in the House of Representatives on March 31, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1578, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," was deferred until Friday, April 4, 1997.

Hse. Com. No. 558, returning S.B. No. 140, S.D. 1, which passed Third Reading in the House of Representatives on March 31, 1997, was placed on file.

Hse. Com. No. 559, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 139, H.D. 2, was placed on file.

Hse. Com. No. 560, transmitting H.C.R. No. 33, H.D. 2, which was adopted by the House of Representatives on April 1, 1997, was placed on file.

By unanimous consent, H.C.R. No. 33, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ALTER THE CONTENT OF THE REQUIRED HEALTH CLASSES IN SECONDARY SCHOOLS," was referred to the Committee on Education.

Hse. Com. No. 561, transmitting H.C.R. No. 59, which was adopted by the House of Representatives on April 1, 1997, was placed on file.

By unanimous consent, H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO CONVENE A WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH IN 1998, WITH THE THEME 'IT TAKES A VILLAGE TO RAISE A CHILD,'" was referred to the Committee on Human Resources.

Hse. Com. No. 562, transmitting H.C.R. No. 152, H.D. 1, which was adopted by the House of Representatives on April 1, 1997, was placed on file.

By unanimous consent, H.C.R. No. 152, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE STATE AND DISTRICT LEVEL MANAGEMENT AUTHORITY FOR THE HAWAIIAN STUDIES PROGRAM," was referred to the Committee on Education.

Hse. Com. No. 563, transmitting H.C.R. No. 239, H.D. 1, which was adopted by the House of Representatives on April 1, 1997, was placed on file.

By unanimous consent, H.C.R. No. 239, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOGNITION AND DESIGNATION OF SURFING AND OUTRIGGER CANOE RACING AS OLYMPIC SPORTS," was referred to the Committee on Economic Development.

Hse. Com. No. 564, transmitting H.C.R. No. 258, which was adopted by the House of Representatives on April 1, 1997, was placed on file.

By unanimous consent, H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE DESIGNATION OF THE WAILOA STATE PARK AS THE PERMANENT SITE OF THE ANNUAL HAARI BOAT RACE," was referred to the Committee on Water, Land, and Hawaiian Affairs.

## ORDER OF THE DAY

### THIRD READING

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

By unanimous consent, action on H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW," was deferred until Thursday, April 3, 1997.

H.B. No. 345, S.D. 1:

By unanimous consent, action on H.B. No. 345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was deferred until Thursday, April 3, 1997.

H.B. No. 1216, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," was deferred until Thursday, April 3, 1997.

H.B. No. 1864, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1864, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE PRACTITIONERS," was deferred until Thursday, April 3, 1997.

Senator Anderson rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, we've been doing some research and recently we've been doing a lot of resolutions and bills on education and presenting awards, and we've been doing some research on former education processes that I thought I'd just like to bring up to date. It seems whenever we look at prisons and other things ... culturally, being part-Hawaiian ... they say we have the highest percentage of Hawaiians in jail. We have Hawaiians that are not able to read and hold jobs, so we did some research.

"Every legislative session, Mr. President, we are inundated with bills and resolutions to appropriate millions of dollars for our schools and high technology, and yet we continue to fall short of what we believe is scholastic achievements. And despite this failure, we want to pride ourselves on these advancements of our almost 21st century Hawaii and look with disparagement on the old Hawaii.

"In reality, an examination of education and schools in the 1840s and 1850s is a very humbling experience for us. And it shows that we're not so advanced after all.

"For example, we pride ourselves with the progress that SCBM has made in our schools. And we are now beginning to recognize and realize that parental involvement is the most important factor in the success of a student or of a school.

"In 1851, Mr. President, the Legislature enacted the first major education act. This is the preamble to that act: 'Whereas it is the right of parents, as far as possible, to have a voice in the management of their schools, wherein their own children are educated; and whereas the exercise of this right will be likely, not only to prevent arbitrary dictation on the part of school inspectors, but to increase the interest that all parents should feel in the public schools.' And that was in the laws of 1851, Mr. President.

"Also, today we are coming to recognize and to acknowledge that not every student is meant for academia -- that for many, vocational and technical skills are the answer to a productive and successful life.

"Well, Mr. President, if I may, in 1848 Mr. Richard Armstrong became Minister of Education and made a real contribution to one phase of the school curriculum. He included vocational training in the educational curriculum almost from the start of his administration. This was, at that time, a far advancement to any introduction of any such training in the United States.

"And to go further, Mr. President, today one of the most serious problems facing both the state and the nation is literacy or rather the functional illiteracy of our population -- a problem so critical that the President has called for an army of thousands of volunteers to ensure that our school children know how to read.

"Well, Mr. President, in contrast, a century and a half ago right here in Hawaii in 1846, 80 percent of all of the native people of Hawaii could read and write.

"I just thought that I would like to put this out because it is a very humbling experience. We seem to want to advance and we think we're achieving new goals and in reality there are people in the past who have had these problems who have taken care of them. And I think that we ought to look at the whole spectrum on where we're going and what we really want to achieve. In those days it was done without federal dollars. I know we have other costs today, but we have to look at the achievements that we're doing and how we can get there without all of these cost factors hampering us.

"Thank you so very much, Mr. President."

Senator Bunda rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I guess all of us cannot help but notice a lot of people around the capitol today. And according to the paper, it's the final push on the issue of same-sex marriage. As a member of the Judiciary Committee, I would like to ask either of the co-chairs a question, if I may."

The President posed the question to the chairmen of the Judiciary Committee and Senator Matsunaga having answered in the affirmative, Senator Bunda then inquired:

"I just would like Senator Matsunaga, if you're the designee, I would like to ask, What is the status of the conference that has been taking place with the House? As all of us know, this conference has been going on for a while and I think the members deserve to know what the status would be."

Senator Matsunaga responded:

"Thank you very much for the question.

"Yesterday, the House just transmitted to us a proposed re-draft of H.B. No. 117, which is the constitutional amendment to give the voters the option of voting on whether or not they want same-sex marriage. We're very optimistic. The House has finally moved off of its position and has recognized that the previous draft that they sent over was really not a clean draft. So the current draft is much cleaner. We're in the process of looking at it to see whether or not it is effective, and also fair. Once we review it, we will be getting back to the House. Thank you."

Senator Bunda then asked:

"My next question, Senator Matsunaga -- Is the next conference scheduled in the next few days or would it be put off until the deadline?"

Senator Matsunaga answered:

"The next conference will certainly be before the deadline. The deadline is on the 11th. We haven't yet scheduled it, but it will be scheduled."

#### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 3, 1997.

## FORTY-FIFTH DAY

Thursday, April 3, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Miss Reima Soli, St. Andrew's Priory, who was accompanied by the Reverend Dr. Beverly Dexter, after which the Roll was called showing all Senators present with the exception of Senators Aki and Solomon who were excused.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 565 to 569) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 565, returning S.B. No. 26, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 26, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 566, returning S.B. No. 165, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 165, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 567, returning S.B. No. 382, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 382, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 568, returning S.B. No. 1575, which passed Third Reading in the House of Representatives on April 2, 1997, was placed on file.

Hse. Com. No. 569, informing the Senate that the amendments proposed by the Senate to H.B. No. 519, H.D. 1, were agreed to by the House, and H.B. No. 519, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 2, 1997, was placed on file.

## STANDING COMMITTEE REPORT

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand Com. Rep. No. 1396) recommending that S.R. No. 77 be referred to the Committee on Judiciary.

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the report of the Committee was adopted and S.R. No. 77, entitled: "SENATE RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM

FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was referred to the Committee on Judiciary.

## ORDER OF THE DAY

## THIRD READING

## MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 1997

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

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

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

H.B. No. 345, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 345, S.D. 1, 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, 23. Noes, none. Excused, 2 (Aki, Solomon).

H.B. No. 1216, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

H.B. No. 1864, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1864, H.D. 1, 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, 23. Noes, none. Excused, 2 (Aki, Solomon).

## THIRD READING

H.B. No. 939, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 939, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

At 11:50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

H.B. No. 1450, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1450, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL SERVICES LOAN

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

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

H.B. No. 2239, H.D. 2:

By unanimous consent, action on H.B. No. 2239, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," was deferred until Friday, April 11, 1997.

#### FINAL READING

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

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

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 333, S.D. 1, and S.B. No. 333, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

S.B. No. 959, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 959 and S.B. No. 959, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PRUDENT INVESTOR ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Solomon).

Senator Levin, for the Committee on Health and Environment, requested a waiver of the 72-hour Notice of a Public Hearing on H.B. No. 1690 as follows:

"Mr. President, I'd like to request a waiver of the 72-hour requirement for posting on H.B. 1690, 'Relating to Revenue Maximization.' This is a bill jointly referred to Ways and Means and Health and because of conflicting schedules we have scheduled it today for 1:30 p.m. We posted notice as of late Tuesday."

The Chair granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I rise today to speak of the dead, Mr. President ... to read the obituaries ... to mourn the loss of Hawaii businesses and employers. The latest are two Oahu restaurants operated by Pacific Food Services, which has filed under Chapter 11, representing a loss of jobs for 60 more of our residents -- hard-working, tax-paying people. While Chapter 11 allows Pacific Food Services to try and regain a foothold in the business community, we all know that the odds are really against that. We can hope for the best, but in the case of the following

businesses, which filed Chapter 7 or liquidation bankruptcy in March alone, hope wasn't good enough for these struggling businesses.

"Let me read the names, Mr. President: Pacific Mystics; S.A.P. Enterprises; Scott's Horseshoeing; EPM Rental; Phase One Hair Design; Werner Electric; Yoko's Sales and Marketing; Pathfinder Business Services; Machado's VCR and TV Repair and Service; Parker Equipment, Maintenance & Service Company; Stone Yakiniku Restaurant; Order n' Save; Lucky H Enterprises; Filipino Variety Store; Hawaiian Divers; King Kamehameha Divers; CRC Services; Brandt Automotive; Pro-Line Paints; Techline Computer; Lord & Associates; Kilauea Secretarial and Notary Service; Herb's; Bob's General Services; and Island Studios.

"These are just the obituaries, Mr. President, for the month of March alone. In just three weeks, the lives of these 27 businesses, their owners, their families and their employees have been affected. That's nine businesses per week. That could be 468 more businesses in the year's time if the trend continues. And even our thumbs-up, positive economist from First Hawaiian Bank, Mr. 'Thumbs-Up' Laney has said that this trend is going to continue over the next five to ten months, at least.

"Mr. President, I'm dead serious about the death of Hawaiian businesses, particularly small businesses, because I know that it means fewer jobs, fewer opportunities, fewer tax revenues, fewer choices, and less hope for our state -- particularly our young people. As the U.S. economy grows and strengthens, as the economy and economic indicators from other states and cities continue to become more strong, we languish here with the same problems that we've had year after year -- high taxes, high regulations, high mandated benefits, low incentives for people in business. Statewide, Mr. President, Chapter 7 filings for business and individuals have reached an all-time high this year of 801 -- 65 percent higher than a year ago. Despite earlier, rosy predictions, 1997 is not a better year for these folks.

"I think all of us in this room are touched by people that have been impacted by the economic conditions. And yet those people who say that 'it's the economy, stupid!' are wrong -- it's the politics, stupid! And we have a responsibility and obligation to do something about it.

"We must have the leadership from this body and from this Legislature. We have to stop looking at band-aid cures and look at the cause of our problems, and most importantly, Mr. President and colleagues, we have to take action. We have less than 18 days in which to do it, but still we have time to turn our state around. I plead with all of you -- let's put our priorities first. They're not no-rules combat. They're not some of the other things that we discuss on a daily basis. It is the economy and it is economic incentives.

"Thank you, Mr. President."

#### ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 4, 1997.

## FORTY-SIXTH DAY

Friday, April 4, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Ms. Jean Coffman, President of the Oahu Association of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

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

Senator Anderson introduced the following Hawaiian Civic Club Honorees: Elaine Mullaney; Mary Kovich, represented by Johnen Akiona; Margaret A'i, represented by George A'i; Dorothy Gillett, represented by Michele Gillett; Rose Fujimori, represented by Irma Chillingsworth; Eleanor Williamson, represented by Gay George; Moke Ka'aihue, represented by Ethel Ka'aihue; and Charlotte Peroff, represented by Charles Kapua. Accompanying the honorees were Lucille Chung, who represented the Laupahoehoe Civic Club in honor of its 25th anniversary; and Bruss Keppler and Charles Rose, officers of the Hawaiian Civic Club.

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 570 to 589) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 570, returning S.B. No. 293, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 293, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 571, returning S.B. No. 653, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 653, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 572, returning S.B. No. 1069, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1069, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 573, returning S.B. No. 1766, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 574, returning S.B. No. 45, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, was placed on file.

Hse. Com. No. 575, returning S.B. No. 208, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 208, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 576, returning S.B. No. 251, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 251, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 577, returning S.B. No. 373, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 373, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 578, returning S.B. No. 941, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 941, S.D. 1, H.D. 2, 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," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 579, returning S.B. No. 991, S.D. 2, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 991, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 580, returning S.B. No. 1016, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1016, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 581, returning S.B. No. 1018, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1018, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 582, returning S.B. No. 1385, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1385, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE

WAR MEMORIALS AND VETERANS' CEMETERIES," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 583, returning S.B. No. 1554, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1554, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 584, returning S.B. No. 1571, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1571, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 585, returning S.B. No. 1588, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1588, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 586, returning S.B. No. 1636, S.D. 2, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1636, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST WEST CENTER," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 587, returning S.B. No. 1653, which passed Third Reading in the House of Representatives on April 3, 1997, was placed on file.

Hse. Com. No. 588, returning S.B. No. 1919, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1919, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," was deferred until Thursday, April 10, 1997.

Hse. Com. No. 589, returning S.B. No. 1943, S.D. 1, which passed Third Reading in the House of Representatives on April 3, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1943, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Thursday, April 10, 1997.

#### STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, jointly with Senators Levin and Metcalf, for the Committee on Human Resources and the Committee on Health and Environment, presented a joint report (Stand. Com. Rep. No. 1397) recommending that S.R. No. 86, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 86, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO DEVELOP A JOINT BROCHURE TO INFORM CONSUMERS AND

PROVIDERS ABOUT ACCESS TO MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES UNDER THE QUEST PROGRAM, INCLUDING THOSE AVAILABLE ON THE ISLAND OF HAWAII," was referred to the Committee on Ways and Means.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1398) recommending that H.B. No. 1023, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1398 and H.B. No. 1023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1399) recommending that H.B. No. 1105, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1399 and H.B. No. 1105, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1400) recommending that H.B. No. 1138, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1400 and H.B. No. 1138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1401) recommending that H.B. No. 1287, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1401 and H.B. No. 1287, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1402) recommending that H.B. No. 1367, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1402 and H.B. No. 1367, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1403) recommending that H.B. No. 1638, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1403 and H.B. No. 1638, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1404) recommending that H.B. No. 1814, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1404 and H.B. No. 1814, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 8, 1997.



Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1405) recommending that H.B. No. 1488, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1405 and H.B. No. 1488, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," was deferred until Tuesday, April 8, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1406) recommending that H.B. No. 1750, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1406 and H.B. No. 1750, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 8, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1407) recommending that H.B. No. 1760 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1408) recommending that H.B. No. 1756, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1756, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1409) recommending that H.B. No. 387 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1409 and H.B. No. 387, entitled: "A BILL FOR AN ACT RELATING TO NURSES," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1410) recommending that H.B. No. 780, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1410 and H.B. No. 780, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1411) recommending that H.B. No. 793, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1411 and H.B. No. 793, H.D. 1, S.D. 2, entitled: "A BILL FOR AN

ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1412) recommending that H.B. No. 1326 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1412 and H.B. No. 1326, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1413) recommending that H.B. No. 1818, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1413 and H.B. No. 1818, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1414) recommending that H.B. No. 1819, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1414 and H.B. No. 1819, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1415) recommending that H.B. No. 1860, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1415 and H.B. No. 1860, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE-GRANTING INSTITUTIONS," was deferred until Tuesday, April 8, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1416) recommending that S.C.R. No. 22, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 22, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO PROVIDE FINANCIAL SUPPORT TO THE NATIVE HAWAIIAN HEALTH CARE SYSTEMS," was adopted.

## ORDER OF THE DAY

### AGREE/DISAGREE

### MATTERS DEFERRED FROM MONDAY, MARCH 31, 1997

S.B. No. 1064, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 1064, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," was deferred until Thursday, April 10, 1997.

S.B. No. 1267, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 1267, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

CHILD SUPPORT ENFORCEMENT," was deferred until Thursday, April 10, 1997.

S.B. No. 1421, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 1421, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," was deferred until Thursday, April 10, 1997.

S.B. No. 1556 (H.D. 1):

By unanimous consent, action on S.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," was deferred until Thursday, April 10, 1997.

S.B. No. 1802, S.D. 2 (H.D. 1):

By unanimous consent, action on S.B. No. 1802, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES," was deferred until Thursday, April 10, 1997.

S.B. No. 938, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 938, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX," was deferred until Thursday, April 10, 1997.

S.B. No. 989, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 989, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," was deferred until Thursday, April 10, 1997.

#### **MATTERS DEFERRED FROM WEDNESDAY, APRIL 2, 1997**

S.B. No. 1242, S.D. 1 (H.D. 1):

By unanimous consent, action on S.B. No. 1242, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR ORGANIZATIONS NEGOTIATING WORKERS' COMPENSATION BENEFITS," was deferred until Thursday, April 10, 1997.

S.B. No. 1578 (H.D. 1):

By unanimous consent, action on S.B. No. 1578, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," was deferred until Thursday, April 10, 1997.

Senator Sakamoto rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"You know, we read the paper -- Senate budget cuts, you know, cuts -- and we all know this is a problem. I guess a problem I have, coming from small business, is that time is very important. And on many issues this body seems to think a study or let's talk some more ... and I'm not here to talk about adding to the obituary list that was read yesterday.

"I'm here to talk about, just as there were students here a few minutes ago, where will our 12,000 graduates go, Mr. President? Where will they go come June and July? How will they stay in Hawaii? There's much talent that graduate each year, much talent, you know. Some of you have younger children. Where will the Senators' children from Manoa go? Will they go to Seattle?

"So I think many of the issues before us -- small business caucus issues -- they're not all major issues. Yet, they have

merit. And I think time is very important. In three weeks we can do a lot, and I guess I ask for my colleagues not to say, 'well, let's study; let's look at.' Let's do it! Things can be done and there are solutions. I guess one solution -- I'm not going to elaborate with the body -- but there are solutions that some you know of and I hope we can at least make steps forward on some of the ideas that are put forward, whether in private or in public, Mr. President. Thank you."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege, if I may.

"Mr. President, I think we do a lot of good here and I know that we do, at times, a lot of bad things that people chastise us for, and I can't blame them. But one of the good things that I didn't read in the paper and I believe should have been brought forth because of all of the failing restaurants that are going on right now is that there was a bill last night to add not just the 50 percent tax credit on meals that the federal government allows us and the state government, but also to add another 30 percent state tax credit on business meals. And our director of taxation didn't think that was very much and that we should look at the federal level. But 30 percent added on might save a business because the business people are the ones that go out and buy luncheons or dinners and keep these restaurants and private clubs going.

"One of the things that disturbed me that we're not doing and we're trying to jump-start the state, Mr. President, is finish the Lab School that Senator Malama said that when she was chairman had asked about an \$11 million building. The design and planning was over, and yet we're not going to construct that building. And that would jump-start the state, but that's not going to be done at the University.

"What we are going to do, Mr. President, is charge a tuition fee to the Lab School students. And they get no new buildings. Not only that, but in order to try to save a few dollars and put some money in the general fund, what we're going to do is take the University Lab and penalize them. And I say penalize because, Mr. President, it costs us as taxpayers -- every one of us across the state -- \$5,000 roughly, per student, per year. At the lab school when we were checking yesterday, it costs \$3800. So I think it's being penalized because they want to charge a tuition fee for students to go to the lab school. Now, why get penalized when you're doing a good job, costing us less money than the average public school.

"I have stood on this floor and said, if we need money in our general fund, then tax every student across the state, every school student that can afford to pay, either 200, 400, 500, whatever you need. But you're not going to make shortfalls on one little school with 300 and some odd students. It just doesn't make sense. It's not the way to go if you're looking for dollars. I heard one person across the hall who told me that only the elite go to that school. Another said only haoles go to that school. I think the people better look at what the student body is made up of. It's all nationalities and all economic backgrounds of people across the state. It's not just the high and mighty and the rich. And that's the problem. I know a lot of people that went to that school, but all of a sudden now that they're gone, they don't much care if the school gets closed.

"I had my mo'opuna who went to Kamehameha Schools from kindergarten to the 6th grade, and then he went to the University Lab for two years. I would have loved to have had him stay, but he decided to go back to Kamehameha to graduate. That's how I happen to know about the lab school and I was concerned because the children are more or less guinea pigs. You take teachers that have not yet been certified and they teach the type of programs that are needed. They do books that they can sell to other schools and across the nation. So we want to penalize them for doing a good job. They get

over \$300,000 for the teacher grant in federal grants. They use 200-and-some-odd-thousand and the rest goes into the general fund -- but we're going to penalize them.

"These are some of the concerns that I have, Mr. President. If we want to put money into the general fund, then charge every student that can afford to pay, and those that cannot afford, we take care of. That's our job. That's the safety net.

"Thank you very much for listening to me, Mr. President and my colleagues."

Senator Fukunaga, for the Committee on Ways and Means, requested a waiver of the 48-hour Notice of a Public Hearing on H.B. No. 1701, and the Chair granted the waiver.

Senator Taniguchi, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, on H.B. No. 1575 as follows:

"Mr. President, I'd like to request a waiver of the 72-hour notice requirement pursuant to Senate Rule 20.

"The reason for this request is to allow your Committee on Economic Development to hold a public hearing on H.B. No. 1575, entitled, 'Relating to Milk.' We had initially heard the companion Senate bill and decided to hold that bill. However, during the past two weeks there has been some activity in the milk industry, and we'd like to at least review a bill this afternoon, if possible, to hopefully keep a vehicle alive in case we need to act to help the milk industry."

The Chair granted the waiver.

Senator Slom rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, something happened yesterday that shocked me, and you know that I'm not easily shocked, Mr. President. We're used to problems all around the world in Bosnia and Zaire, but, Mr. President, across the courtyard in the House of Representatives where the Minority Leader was forcibly restrained and then ejected for exercising free speech, Mr. President, I was saddened all evening.

"I was trying to think of two things. First of all, I wanted to thank the President and my colleagues here who have not yet forcibly tried to restrain me from speaking. (Laughter.) And secondly, I was trying to think how could we overcome the prejudice and the difficulties across the way. The only thing I could think of, Mr. President, I did understand that there is an election coming up next year and possibly if some of my colleagues here could find it in their hearts to move aside to allow more of the minority members to come possibly into this body and make room for them, I think it would be a good gesture.

"Thank you, Mr. President." (Laughter.)

Senator Anderson then added:

"I would just like to clarify what he's saying. I think it's called 'kokua.'"

#### STANDING COMMITTEE REPORTS

On motion by Senator Ihara, seconded by Senator Slom and carried unanimously, the Senate authorized the adoption of standing committee reports recommending that House bills pass Second Reading and be placed on the calendar for Third Reading. The Clerk was further authorized to receive standing committee reports recommending that House bills be placed on the calendar for Third Reading. In consequence thereof, and

subsequent to its recessing at 12:17 o'clock p.m., the Senate took the following actions:

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1417) recommending that H.B. No. 1132, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1418) recommending that H.B. No. 122, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1418 and H.B. No. 122, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1419) recommending that H.B. No. 646, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1419 and H.B. No. 646, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1420) recommending that H.B. No. 1243, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1420 and H.B. No. 1243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1421) recommending that H.B. No. 1388, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1421 and H.B. No. 1388, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," was deferred until Tuesday, April 8, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1422) recommending that H.B. No. 1244, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1244, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1423) recommending that H.B. No. 1580 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1423 and H.B. No. 1580, entitled: "A BILL FOR AN ACT

RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was deferred until Tuesday, April 8, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1424) recommending that H.B. No. 1833, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1424 and H.B. No. 1833, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES," was deferred until Tuesday, April 8, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1425) recommending that H.B. No. 1842, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1426) recommending that H.B. No. 143, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 143, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1427) recommending that H.B. No. 293, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 293, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1428) recommending that H.B. No. 1085, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1085, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1429) recommending that H.B. No. 1395, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," passed Second Reading and

was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chun Oakland and Kanno, jointly with Senators Chumbley and Matsunaga, for the Committee on Human Resources and the Committee on Judiciary, presented a joint report (Stand. Com. Rep. No. 1430) recommending that H.B. No. 371, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 371, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1431) recommending that H.B. No. 1770, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1431 and H.B. No. 1770, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1432) recommending that H.B. No. 1771, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1432 and H.B. No. 1771, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1433) recommending that H.B. No. 1772, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1433 and H.B. No. 1772, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1434) recommending that H.B. No. 1774, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1434 and H.B. No. 1774, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1435) recommending that H.B. No. 1775, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1435 and H.B. No. 1775, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1436) recommending that H.B. No. 1776, as amended in S.D. 1, pass Third Reading.



Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1450) recommending that H.B. No. 1790, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1450 and H.B. No. 1790, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1451) recommending that H.B. No. 1791, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1451 and H.B. No. 1791, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1452) recommending that H.B. No. 1792, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1452 and H.B. No. 1792, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1453) recommending that H.B. No. 1793, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1453 and H.B. No. 1793, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1454) recommending that H.B. No. 1840, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1454 and H.B. No. 1840, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, April 8, 1997.

Senators Chun Oakland and Kanno, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Human Resources and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1455) recommending that H.B. No. 1806, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1806, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1456) recommending that H.B. No. 258, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1456 and H.B. No. 258, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO THE CONVENTION CENTER," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1457) recommending that H.B. No. 1485, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1457 and H.B. No. 1485, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1458) recommending that H.B. No. 1694, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1458 and H.B. No. 1694, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1459) recommending that H.B. No. 1645, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1459 and H.B. No. 1645, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1460) recommending that H.B. No. 1863, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1460 and H.B. No. 1863, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1461) recommending that H.B. No. 872, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1461 and H.B. No. 872, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1462) recommending that H.B. No. 1654, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1462 and H.B. No. 1654, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF ACCOUNTS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1463) recommending that H.B. No. 1655, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1463 and H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1464) recommending that H.B. No. 1664, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1464 and H.B. No. 1664, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1465) recommending that H.B. No. 1689, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1465 and H.B. No. 1689, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF STATE FUNDS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1466) recommending that H.B. No. 1797, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1466 and H.B. No. 1797, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1467) recommending that H.B. No. 1836, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1467 and H.B. No. 1836, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1468) recommending that H.B. No. 1843, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1468 and H.B. No. 1843, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1469) recommending that H.B. No. 1713, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1469 and H.B. No. 1713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1470) recommending that H.B. No. 112, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1470 and H.B. No. 112, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1471) recommending that H.B. No. 140, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1471 and H.B. No. 140, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1472) recommending that H.B. No. 1393, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1472 and H.B. No. 1393, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1473) recommending that H.B. No. 1587, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1473 and H.B. No. 1587, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1474) recommending that H.B. No. 1604, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1474 and H.B. No. 1604, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1475) recommending that H.B. No. 1610, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1475 and H.B. No. 1610, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1476) recommending that H.B. No. 480, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1476 and H.B. No. 480, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1477) recommending that H.B. No. 1714, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1477 and H.B. No. 1714, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1478) recommending that H.B. No. 1805, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1478 and H.B. No. 1805, H.D. 2, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO GOVERNMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1479) recommending that H.B. No. 1370, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1479 and H.B. No. 1370, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1480) recommending that H.B. No. 1732, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1480 and H.B. No. 1732, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1481) recommending that H.B. No. 1857, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1857, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1482) recommending that H.B. No. 2207, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1482 and H.B. No. 2207, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred until Tuesday, April 8, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1483) recommending that H.B. No. 1575, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1484) recommending that H.B. No. 1693 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1693, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1485) recommending that H.B. No. 1738, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1738, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1486) recommending that H.B. No. 1831, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1486 and H.B. No. 1831, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1487) recommending that H.B. No. 364, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1487 and H.B. No. 364, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1488) recommending that H.B. No. 1854, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1488 and H.B. No. 1854, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1489) recommending that H.B. No. 1900, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1489 and H.B. No. 1900, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1490) recommending that H.B. No. 2202, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1490 and H.B. No. 2202, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1491) recommending that H.B. No. 931, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1491 and H.B. No. 931, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1492) recommending that H.B. No. 1547, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1492 and H.B. No. 1547, H.D. 2, S.D. 1, entitled: "A BILL FOR AN



ACT RELATING TO SMALL BOAT HARBORS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1493) recommending that H.B. No. 1695, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1493 and H.B. No. 1695, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1494) recommending that H.B. No. 1657, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1494 and H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1495) recommending that H.B. No. 1660, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1495 and H.B. No. 1660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1496) recommending that H.B. No. 1688, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1496 and H.B. No. 1688, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1497) recommending that H.B. No. 1773, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1497 and H.B. No. 1773, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1498) recommending that H.B. No. 2032, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1498 and H.B. No. 2032, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1499) recommending that H.B. No. 2234, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1499 and H.B. No. 2234, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1500) recommending that H.B. No. 167, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1500 and H.B. No. 167, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1501) recommending that H.B. No. 1250, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1501 and H.B. No. 1250, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1502) recommending that H.B. No. 1292, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1502 and H.B. No. 1292, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1503) recommending that H.B. No. 1829, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1503 and H.B. No. 1829, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1504) recommending that H.B. No. 1837, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1504 and H.B. No. 1837, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1505) recommending that H.B. No. 1984, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1505 and H.B. No. 1984, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1506) recommending that H.B. No. 2019, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1506 and H.B. No. 2019, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1507) recommending that H.B. No. 120, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1507 and H.B. No. 120, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1508) recommending that H.B. No. 147, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1508 and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1509) recommending that H.B. No. 1619, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1509 and H.B. No. 1619, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1510) recommending that H.B. No. 1624, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1510 and H.B. No. 1624, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1511) recommending that H.B. No. 1706, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1511 and H.B. No. 1706, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1512) recommending that H.B. No. 1716, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1512 and H.B. No. 1716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1513) recommending that H.B. No. 1724, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1513 and H.B. No. 1724, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1514) recommending that H.B. No. 108, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1514 and H.B. No. 108, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1515) recommending that H.B. No. 1582, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1515 and H.B. No. 1582, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1516) recommending that H.B. No. 1613, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1516 and H.B. No. 1613, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1517) recommending that H.B. No. 417, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1517 and H.B. No. 417, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1518) recommending that H.B. No. 1640, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1640, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1519) recommending that H.B. No. 1804, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1804, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1520) recommending that H.B. No. 1650, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1650, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1521) recommending that H.B. No. 1623, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1522) recommending that H.B. No. 65, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 65, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1523) recommending that H.B. No. 582, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1524) recommending that H.B. No. 777, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1524 and H.B. No. 777, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1525) recommending that H.B. No. 1049, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1049, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1526) recommending that H.B. No. 1196, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1196, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1527) recommending that H.B. No. 1309, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1527 and H.B. No. 1309, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1528) recommending that H.B. No. 1451, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1451, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1529) recommending that H.B. No. 1579, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1529 and H.B. No. 1579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred until Tuesday, April 8, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1530) recommending that H.B. No. 1899, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1899, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1531) recommending that H.B. No. 1390, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1531 and H.B. No. 1390, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1532) recommending that H.B. No. 141, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1533) recommending that H.B. No. 432, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1534) recommending that H.B. No. 460 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1535) recommending that H.B. No. 462, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 462, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1536) recommending that H.B. No. 463 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 463, entitled: "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1537) recommending that H.B. No. 581, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 581, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1538) recommending that H.B. No. 617, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1539) recommending that H.B. No. 912, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1540) recommending that H.B. No. 1012, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1540 and H.B. No. 1012, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1541) recommending that H.B. No. 1296 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1296, entitled: "A BILL FOR AN ACT RELATING TO GARNISHMENT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1542) recommending that H.B. No. 1377 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1377, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF JUDICIARY RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1543) recommending that H.B. No. 1382, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1544) recommending that H.B. No. 1385, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1385, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1545) recommending that H.B. No. 1387, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1387, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1546)

recommending that H.B. No. 1407 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF ELECTION RESULTS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1547) recommending that H.B. No. 1715, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1547 and H.B. No. 1715, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT USE OF CREDIT CARDS," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1548) recommending that H.B. No. 1718 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1548 and H.B. No. 1718, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF PAYMENTS," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1549) recommending that H.B. No. 1745, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1549 and H.B. No. 1745, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1550) recommending that H.B. No. 1858, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1550 and H.B. No. 1858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1551) recommending that H.B. No. 2305, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORGERY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1552) recommending that H.B. No. 145, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1552 and H.B. No. 145, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1553) recommending that H.B. No. 623, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1554) recommending that H.B. No. 675, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 675, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRST DEGREE ROBBERY," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1555) recommending that H.B. No. 789, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 789, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1556) recommending that H.B. No. 1203 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1203, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1557) recommending that H.B. No. 1510, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1510, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1558) recommending that H.B. No. 1748, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1558 and H.B. No. 1748, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHOLAWE PENALTIES," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1559) recommending that H.B. No. 2308, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2308, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," passed Second Reading and was

placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1560) recommending that H.B. No. 2, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1560 and H.B. No. 2, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1561) recommending that H.B. No. 106, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 106, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1562) recommending that H.B. No. 631, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1562 and H.B. No. 631, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1563) recommending that H.B. No. 971, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 971, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1564) recommending that H.B. No. 1247, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1564 and H.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1565) recommending that H.B. No. 1410, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1410, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION RECORDS AND USES THEREOF," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1566) recommending that H.B. No. 1473, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1566 and H.B. No. 1473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Judiciary and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1567) recommending that H.B. No. 1539, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1568) recommending that H.B. No. 1965, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1568 and H.B. No. 1965, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1569) recommending that H.B. No. 1675, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1569 and H.B. No. 1675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1570) recommending that H.B. No. 103, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1570 and H.B. No. 103, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," was deferred until Tuesday, April 8, 1997.

Senators Levin and Metcalf, jointly with Senators Fernandes Salling and Fukunaga, for the Committee on Health and Environment and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 1571) recommending that H.B. No. 1690, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.B. No. 1690, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1572) recommending that H.B. No. 1841, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1572 and H.B. No. 1841, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

1573) recommending that H.B. No. 1618, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1573 and H.B. No. 1618, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1574) recommending that H.B. No. 1625, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1574 and H.B. No. 1625, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1575) recommending that H.B. No. 1721, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1575 and H.B. No. 1721, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1576) recommending that H.B. No. 1591, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1576 and H.B. No. 1591, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1577) recommending that H.B. No. 728, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 728, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1578) recommending that H.B. No. 979, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 979, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1579) recommending that H.B. No. 1639, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No.

1639, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1580) recommending that H.B. No. 1646, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1646, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1581) recommending that H.B. No. 1648, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1582) recommending that H.B. No. 351, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1582 and H.B. No. 351, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1583) recommending that H.B. No. 1006, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1583 and H.B. No. 1006, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1584) recommending that H.B. No. 1656, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1584 and H.B. No. 1656, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1585) recommending that H.B. No. 1593, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1585 and H.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

1586) recommending that H.B. No. 1087, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1586 and H.B. No. 1087, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1587) recommending that H.B. No. 1188, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1587 and H.B. No. 1188, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1588) recommending that H.B. No. 33, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1588 and H.B. No. 33, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1589) recommending that H.B. No. 1031, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1031, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1590) recommending that H.B. No. 1320, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1591) recommending that H.B. No. 2060, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2060, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1592) recommending that H.B. No. 20, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1592 and H.B. No. 20, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1593) recommending that H.B. No. 107, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 107, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1594) recommending that H.B. No. 111, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 111, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1595) recommending that H.B. No. 113, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 113, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1596) recommending that H.B. No. 116, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1596 and H.B. No. 116, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1597) recommending that H.B. No. 233, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1597 and H.B. No. 233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1598) recommending that H.B. No. 392, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1599) recommending that H.B. No. 636, H.D. 2, as amended in S.D. 1, pass Third Reading.



By unanimous consent, action on Stand. Com. Rep. No. 1599 and H.B. No. 636, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred until Tuesday, April 8, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1600) recommending that H.B. No. 1300, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1300, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1601) recommending that H.B. No. 1701, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1601 and H.B. No. 1701, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1602) recommending that H.B. No. 1433, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1602 and H.B. No. 1433, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1603) recommending that H.B. No. 1731, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1603 and H.B. No. 1731, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1604) recommending that H.B. No. 1904, H.D. 3, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1604 and H.B. No. 1904, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1605) recommending that H.B. No. 1686, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1605 and H.B. No. 1686, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1606) recommending that H.B. No. 1796, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1606 and H.B. No. 1796, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1607) recommending that H.B. No. 1838, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1607 and H.B. No. 1838, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1608) recommending that H.B. No. 133, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1608 and H.B. No. 133, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL AND VOCATIONAL TRAINING," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1609) recommending that H.B. No. 1086, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1609 and H.B. No. 1086, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WORK OPPORTUNITIES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1610) recommending that H.B. No. 1798, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1610 and H.B. No. 1798, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1611) recommending that H.B. No. 1641, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1641, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1612) recommending that H.B. No. 1799, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1799, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1613) recommending that H.B. No. 350, H.D. 1, as amended in

S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 350, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1614) recommending that H.B. No. 472, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 8, 1997.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 8, 1997.

## FORTY-SEVENTH DAY

Tuesday, April 8, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:07 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Ashpole, The Faith Assembly of God Church, after which the Roll was called showing all Senators present.

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

Senator Levin introduced the President Pro-Tem of the New Mexico Senate and the Chair of CSG-West, Senator Manny Aragon. Accompanying Senator Aragon was Cheryl Duvauchelle, deputy director for CSG-West.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock a.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 278 to 280) were read by the Clerk and were placed on file:

Gov. Msg. No. 278, informing the Senate that on April 3, 1997, he signed into law House Bill No. 173 as Act 5, entitled: "RELATING TO LIQUOR."

Gov. Msg. No. 279, informing the Senate that on April 7, 1997, he signed the following bills into law:

House Bill No. 1635 as Act 6, entitled: "RELATING TO CRIMINAL HISTORY RECORD CHECKS";

House Bill No. 1891 as Act 7, entitled: "RELATING TO CONTRACTORS LICENSE RENEWAL"; and

House Bill No. 1897 as Act 8, entitled: "RELATING TO REGULATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS."

Gov. Msg. No. 280, informing the Senate that on April 7, 1997, he signed into law House Bill No. 1886 as Act 9, entitled: "RELATING TO DENTAL HYGIENISTS."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 590 to 626) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 590, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1, H.D. 1, was placed on file.

Hse. Com. No. 591, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 345, was placed on file.

Hse. Com. No. 592, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 939, H.D. 1, was placed on file.

Hse. Com. No. 593, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1216, H.D. 1, was placed on file.

Hse. Com. No. 594, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1450, was placed on file.

Hse. Com. No. 595, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1864, H.D. 1, was placed on file.

Hse. Com. No. 596, returning S.B. No. 58, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 58, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," was deferred until Friday, April 11, 1997.

Hse. Com. No. 597, returning S.B. No. 130, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 130, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred until Friday, April 11, 1997.

Hse. Com. No. 598, returning S.B. No. 262, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 262, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Friday, April 11, 1997.

Hse. Com. No. 599, returning S.B. No. 377, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 377, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," was deferred until Friday, April 11, 1997.

Hse. Com. No. 600, returning S.B. No. 426, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 426, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," was deferred until Friday, April 11, 1997.

Hse. Com. No. 601, returning S.B. No. 497, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 497, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," was deferred until Friday, April 11, 1997.

Hse. Com. No. 602, returning S.B. No. 817, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 817, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred until Friday, April 11, 1997.

Hse. Com. No. 603, returning S.B. No. 927, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 927, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Friday, April 11, 1997.

Hse. Com. No. 604, returning S.B. No. 1293, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1293, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN RESOURCES MANAGEMENT IN STATE GOVERNMENT," was deferred until Friday, April 11, 1997.

Hse. Com. No. 605, returning S.B. No. 1486, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was deferred until Friday, April 11, 1997.

Hse. Com. No. 606, returning S.B. No. 1506, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1506, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was deferred until Friday, April 11, 1997.

Hse. Com. No. 607, returning S.B. No. 1548, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

At 11:28 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock a.m.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1548, S.D. 1, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Mr. President, this is a bill that appropriates in an emergency fashion for Fiscal Year 1996-97, \$54,745,844 for the purpose of paying health care payments for medical assistance recipients. Both the Ways and Means and Finance Committees have agreed to the amount. I would like to ask the body to support this agreement."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1548, S.D. 1, and S.B. No. 1548, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," was placed on the calendar for Final Reading.

The Chair then inquired:

"Mr. Clerk, is the Senate ready to take action on Final Reading of S.B. No. 1548, H.D. 2, at this time?"

The Senate Clerk replied:

"Mr. President, S.B. No. 1548, H.D. 2, passed Third Reading in the House on Friday, April 4. A copy of the bill was transmitted to the Senate Clerk's Office that same day. Printed copies of the bill were available to all Senators, therefore, the 48-hour requirement of Article III, Section 15, of the Constitution of the State of Hawaii, and Rule 49 of the Rules of the Senate have been complied with."

There being no objections by the members of the Senate, action on Final Reading of S.B. No. 1548, S.D. 1, H.D. 2, was taken.

S.B. No. 1548, S.D. 1, H.D. 2:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1548, S.D. 1, and S.B. No. 1548, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Hse. Com. No. 608, returning S.B. No. 1589, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1589, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," was deferred until Friday, April 11, 1997.

Hse. Com. No. 609, returning S.B. No. 1621, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1621, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," was deferred until Friday, April 11, 1997.

Hse. Com. No. 610, returning S.B. No. 1631, S.D. 2, which passed Third Reading in the House of Representatives on April 4, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1631, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was deferred until Friday, April 11, 1997.

Hse. Com. No. 611, returning S.B. No. 57, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 612, returning S.B. No. 958, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 613, returning S.B. No. 985, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 614, returning S.B. No. 1110, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 615, returning S.B. No. 1490, S.D. 1, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 616, returning S.B. No. 1501, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 617, returning S.B. No. 1507, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 618, returning S.B. No. 1508, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 619, returning S.B. No. 1509, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 620, returning S.B. No. 1510, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 621, returning S.B. No. 1511, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 622, returning S.B. No. 1513, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 623, returning S.B. No. 1514, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 624, returning S.B. No. 1517, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 625, returning S.B. No. 1518, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

Hse. Com. No. 626, returning S.B. No. 1532, which passed Third Reading in the House of Representatives on April 4, 1997, was placed on file.

#### SENATE COMMUNICATION

Sen. Com. No. 3, notice to the Governor dated April 8, 1997, transmitting H.B. No. 145, H.D. 1, S.D. 1, which proposes amendments to the Hawaii State Constitution.

By unanimous consent, the following notice was sent to the Governor:

"April 8, 1997

The Honorable Benjamin J. Cayetano  
Governor of the State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

Dear Governor Cayetano:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form to the following House Bill, a copy of which is attached hereto:

H.B. 145, H.D. 1, S.D. 1  
'RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND.'

Respectfully,

/s/ Paul T. Kawaguchi  
Paul T. Kawaguchi  
Clerk of the Senate"

#### JUDICIARY COMMUNICATION

Jud. Com. No. 3, submitting for consideration and consent, the nomination of R. MARK BROWNING to the office of Judge, District Family Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was read by the Clerk and was referred to the Committee on Judiciary.

#### STANDING COMMITTEE REPORTS

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1615) recommending that S.C.R. No. 40 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DESIGNATE THE OLD KONA AIRPORT STATE PARK AS THE PERMANENT SITE FOR THE BIG ISLAND FARM FAIR," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1616) recommending that S.C.R. No. 43 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1617) recommending that S.R. No. 13 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 13, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENSURE THAT STATE AND FEDERAL MONEYS FOR SPECIAL EDUCATION AND RELATED SERVICES ARE NOT CO-OPTED THROUGH SITE-BASED MANAGEMENT AND FISCAL FLEXIBILITY," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1618) recommending that S.C.R. No. 124 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RULES AGAINST TEACHER HARASSMENT FROM STUDENTS," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1619) recommending that S.R. No. 57 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 57, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RULES AGAINST TEACHER HARASSMENT FROM STUDENTS," was adopted.

#### ORDER OF THE DAY

##### THIRD READING

Stand. Com. Rep. No. 1398 (H.B. No. 1023, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1398 was adopted and H.B. No. 1023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1399 (H.B. No. 1105, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1399 was adopted and H.B. No. 1105, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1401 (H.B. No. 1287, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1401 was adopted and H.B. No. 1287, H.D. 1, S.D. 2, 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. 1402 (H.B. No. 1367, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1402 was adopted and H.B. No. 1367, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1404 (H.B. No. 1814, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1404 was adopted and H.B. No. 1814, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1405 (H.B. No. 1488, H.D. 2, S.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 1405 was adopted and H.B. No. 1488, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1406 (H.B. No. 1750, H.D. 2):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Stand. Com. Rep. No. 1406 was adopted and H.B. No. 1750, H.D. 2, 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.

H.B. No. 1760:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 1760, 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.

Stand. Com. Rep. No. 1409 (H.B. No. 387):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1409 was adopted and H.B. No. 387, entitled: "A BILL FOR AN ACT RELATING TO NURSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1410 (H.B. No. 780, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1410 was adopted and H.B. No. 780, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1411 (H.B. No. 793, H.D. 1, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1411 was adopted and H.B. No. 793, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1412 (H.B. No. 1326):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1412 was adopted and H.B. No. 1326, 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. 1413 (H.B. No. 1818, H.D. 2, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1413 was adopted and H.B. No. 1818, H.D. 2, 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.

Stand. Com. Rep. No. 1414 (H.B. No. 1819, H.D. 1, S.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1414 was adopted and H.B. No. 1819, H.D. 1, S.D. 1, 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.

H.B. No. 1132, H.D. 1, S.D. 1:

On motion by Senator Aki, seconded by Senator Tam and carried, H.B. No. 1132, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES," having been read throughout,

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1418 (H.B. No. 122, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1418 was adopted and H.B. No. 122, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1419 (H.B. No. 646, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1419 was adopted and H.B. No. 646, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1244, H.D. 2, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, H.B. No. 1244, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1423 (H.B. No. 1580):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Stand. Com. Rep. No. 1423 was adopted and H.B. No. 1580, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1424 (H.B. No. 1833, S.D. 2):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Stand. Com. Rep. No. 1424 was adopted and H.B. No. 1833, S.D. 2, 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.

H.B. No. 1842, H.D. 2, S.D. 1:

On motion by Senator Levin, seconded by Senator Metcalf and carried, H.B. No. 1842, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 143, H.D. 2, S.D. 1:

On motion by Senator Bunda, seconded by Senator M. Ige and carried, H.B. No. 143, H.D. 2, 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, 25. Noes, none.

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

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 293, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1085, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 1085, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1395, S.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, H.B. No. 1395, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 371, H.D. 2, S.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Chumbley and carried, H.B. No. 371, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JOB REFERENCE LIABILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1431 (H.B. No. 1770, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1431 was adopted and H.B. No. 1770, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1432 (H.B. No. 1771, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1432 was adopted and H.B. No. 1771, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1433 (H.B. No. 1772, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1433 was adopted and H.B. No. 1772, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout,





On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1446 was adopted and H.B. No. 1786, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1447 (H.B. No. 1787, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1447 was adopted and H.B. No. 1787, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1448 (H.B. No. 1788, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1448 was adopted and H.B. No. 1788, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1449 (H.B. No. 1789, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1449 was adopted and H.B. No. 1789, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1450 (H.B. No. 1790, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1450 was adopted and H.B. No. 1790, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1451 (H.B. No. 1791, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1451 was adopted and H.B. No. 1791, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1452 (H.B. No. 1792, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1452 was adopted and H.B. No. 1792, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1453 (H.B. No. 1793, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1453 was adopted and H.B. No. 1793, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1457 (H.B. No. 1485, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1457 was adopted and H.B. No. 1485, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1458 (H.B. No. 1694, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1458 was adopted and H.B. No. 1694, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR EXPORTED SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1459 (H.B. No. 1645, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1459 was adopted and H.B. No. 1645, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1461 (H.B. No. 872, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1461 was adopted and H.B. No. 872, S.D. 1, 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. 1463 (H.B. No. 1655, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1463 was adopted and H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1465 (H.B. No. 1689, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1465 was adopted and H.B. No. 1689, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF 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. 1467 (H.B. No. 1836, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1467 was adopted and H.B. No. 1836, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1468 (H.B. No. 1843, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1468 was adopted and H.B. No. 1843, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1469 (H.B. No. 1713, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1469 was adopted and H.B. No. 1713, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1470 (H.B. No. 112, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1470 was adopted and H.B. No. 112, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1474 (H.B. No. 1604, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1474 was adopted and H.B. No. 1604, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF CONVICTED DEFENDANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1479 (H.B. No. 1370, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1479 was adopted and H.B. No. 1370, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1480 (H.B. No. 1732, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1480 was adopted and H.B. No. 1732, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1857, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1857, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1482 (H.B. No. 2207, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1482 was adopted and H.B. No. 2207, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1693:

On motion by Senator Tanaka, seconded by Senator Taniguchi and carried, H.B. No. 1693, 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.

H.B. No. 1738, H.D. 1, S.D. 1:

On motion by Senator Tanaka, seconded by Senator Taniguchi and carried, H.B. No. 1738, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1486 (H.B. No. 1831, H.D. 1, S.D. 2):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Stand. Com. Rep. No. 1486 was adopted and H.B. No. 1831, H.D. 1, S.D. 2, 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.

Stand. Com. Rep. No. 1487 (H.B. No. 364, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1487 was adopted and H.B. No. 364, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1488 (H.B. No. 1854, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1488 was adopted and H.B. No. 1854, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HURRICANE RELIEF FUND BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1489 (H.B. No. 1900, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1489 was adopted and H.B. No. 1900, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1490 (H.B. No. 2202, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1490 was adopted and H.B. No. 2202, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1491 (H.B. No. 931, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1491 was adopted and H.B. No. 931, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1492 (H.B. No. 1547, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1492 was adopted and H.B. No. 1547, H.D. 2, 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. 1493 (H.B. No. 1695, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1493 was adopted and H.B. No. 1695, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1494 (H.B. No. 1657, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1494 was adopted and H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1495 (H.B. No. 1660, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1495 was adopted and H.B. No. 1660, H.D. 2, 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.

Stand. Com. Rep. No. 1496 (H.B. No. 1688, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1496 was adopted and H.B. No. 1688, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1497 (H.B. No. 1773, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1497 was adopted and H.B. No. 1773, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1498 (H.B. No. 2032, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1498 was adopted and H.B. No. 2032, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1499 (H.B. No. 2234, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1499 was adopted and H.B. No. 2234, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1500 (H.B. No. 167, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1500 was adopted and H.B. No. 167, H.D. 2, S.D. 1, 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. 1501 (H.B. No. 1250, H.D. 3, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1501 was adopted and H.B. No. 1250, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1502 (H.B. No. 1292, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1502 was adopted and H.B. No. 1292, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1503 (H.B. No. 1829, H.D. 3, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1503 was adopted and H.B. No. 1829, H.D. 3, 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, 25. Noes, none.

Stand. Com. Rep. No. 1505 (H.B. No. 1984, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1505 was adopted and H.B. No. 1984, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1506 (H.B. No. 2019, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1506 was adopted and H.B. No. 2019, H.D. 1, 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. 1507 (H.B. No. 120, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1507 was adopted and H.B. No. 120, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1509 (H.B. No. 1619, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1509 was adopted and H.B. No. 1619, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1510 (H.B. No. 1624, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1510 was adopted and H.B. No. 1624, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOILER AND ELEVATOR SAFETY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1512 (H.B. No. 1716, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1512 was adopted and H.B. No. 1716, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1513 (H.B. No. 1724, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1513 was adopted and H.B. No. 1724, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1514 (H.B. No. 108, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1514 was adopted and H.B. No. 108, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1516 (H.B. No. 1613, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1516 was adopted and H.B. No. 1613, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 65, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 65, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1049, H.D. 1, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1049, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1196, H.D. 2, S.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 1196, H.D. 2, 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.

Stand. Com. Rep. No. 1527 (H.B. No. 1309, H.D. 1, S.D. 2):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1527 was adopted and H.B. No. 1309, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1531 (H.B. No. 1390, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1531 was adopted and H.B. No. 1390, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 141, 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, 25. Noes, none.

H.B. No. 460:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 460, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 462, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 462, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 463:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 463, entitled: "A BILL FOR AN ACT RELATING TO FRIVOLOUS CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 581, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 581, H.D. 1, 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.

H.B. No. 617, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 617, H.D. 1, 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.

H.B. No. 912, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 912, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1296:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1296, 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.

H.B. No. 1377:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1377, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF JUDICIARY RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1382, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1385, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1385, 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.

H.B. No. 1387, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1387, H.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.

H.B. No. 1407:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1407, 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.

Stand. Com. Rep. No. 1547 (H.B. No. 1715, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1547 was adopted and H.B. No. 1715, H.D. 1, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1548 (H.B. No. 1718):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1548 was adopted and H.B. No. 1718, 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.

Stand. Com. Rep. No. 1549 (H.B. No. 1745, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1549 was adopted and H.B. No. 1745, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1550 (H.B. No. 1858, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1550 was adopted and H.B. No. 1858, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED LIABILITY COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2305, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2305, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 623, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 623, 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.

H.B. No. 675, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 675, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIRST DEGREE ROBBERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 789, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 789, H.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.

H.B. No. 1203:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1203, 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.

H.B. No. 1510, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1510, 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.

Stand. Com. Rep. No. 1558 (H.B. No. 1748, H.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1558 was adopted and H.B. No. 1748, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHŌ'OLAWĒ PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 2308, H.D. 2, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2308, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROBATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1560 (H.B. No. 2, H.D. 2, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1560 was adopted and H.B. No. 2, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 106, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 106, H.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1562 (H.B. No. 631, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1562 was adopted and H.B. No. 631, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 971, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 971, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1564 (H.B. No. 1247, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1564 was adopted and H.B. No. 1247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1410, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1410, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION RECORDS AND USES THEREOF," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1566 (H.B. No. 1473, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1566 was adopted and H.B. No. 1473, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1568 (H.B. No. 1965, H.D. 1, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1568 was adopted and H.B. No. 1965, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1569 (H.B. No. 1675, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1569 was adopted and H.B. No. 1675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1570 (H.B. No. 103, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1570 was adopted and H.B. No. 103, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1690, H.D. 1, S.D. 1:

On motion by Senator Levin, seconded by Senator Fernandes Salling and carried, H.B. No. 1690, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1574 (H.B. No. 1625, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1574 was adopted and H.B. No. 1625, H.D. 1, 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. 1576 (H.B. No. 1591, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1576 was adopted and H.B. No. 1591, H.D. 2, S.D. 1, 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.

H.B. No. 728, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 728, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1639, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1639, H.D. 2, S.D. 1, 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.

H.B. No. 1646, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1646, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1583 (H.B. No. 1006, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1583 was adopted and H.B. No. 1006, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1585 (H.B. No. 1593, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1585 was adopted and H.B. No. 1593, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1586 (H.B. No. 1087, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1586 was adopted and H.B. No. 1087, H.D. 1, 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.

Stand. Com. Rep. No. 1588 (H.B. No. 33, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1588 was adopted and H.B. No. 33, H.D. 2, S.D. 2, 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.

H.B. No. 2060, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 2060, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1592 (H.B. No. 20, H.D. 1, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1592 was adopted and H.B. No. 20, H.D. 1, S.D. 2, 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.

H.B. No. 107, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 107, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 111, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 111, H.D. 1, 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. 1596 (H.B. No. 116, H.D. 2, S.D. 2):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1596 was adopted and H.B. No. 116, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1599 (H.B. No. 636, H.D. 2, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1599 was adopted and H.B. No. 636, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 1300, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1601 (H.B. No. 1701, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1601 was adopted and H.B. No. 1701, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1603 (H.B. No. 1731, H.D. 1, S.D. 2):



On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1603 was adopted and H.B. No. 1731, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1604 (H.B. No. 1904, H.D. 3, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1604 was adopted and H.B. No. 1904, H.D. 3, 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. 1607 (H.B. No. 1838, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1607 was adopted and H.B. No. 1838, H.D. 2, 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, 25. Noes, none.

H.B. No. 1641, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1641, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION OF TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

Stand. Com. Rep. No. 1400 (H.B. No. 1138, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1400 was adopted and H.B. No. 1138, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY FOR EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Baker, Chumbley, Ige, D., Matsunaga).

Stand. Com. Rep. No. 1403 (H.B. No. 1638, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1403 be adopted and H.B. No. 1638, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"While the idea and the concept of this bill is good in terms of giving inmates both the opportunity to work and also the opportunity to pay back for both their incarceration and for victims, I think that in recent years what we've seen is a direction of this program that competes in the community, particularly with small businesses, particularly in certain industries like the printing industry. I think the bill should be tightened up and we should be making it very clear that people are in prisons, first of all, for punishment; secondly, to repay

their debt to society, but not to further complicate the business climate. So, I'll be voting 'no' on the bill.

"Thank you, Mr. President."

Senator Anderson rose to speak on the measure and said:

"Mr. President, I'd like to have the Minority Floor Leader's words put in the Journal as though they were my own, and I'd like to add that I'm going on a W/R and not on a 'no.'

"The bill also says that you could hire up to 60 temporary exempt positions in any fiscal year. I don't think that this is a responsible way to be handling the hiring of new people, so I do have my reservations on that. Thank you very much."

Senator Kanno rose and said:

"Mr. President, with reservations."

The Chair so ordered.

Senator Fernandes Salling spoke on the measure as follows:

"Mr. President, by way of explanation, of course I think members are aware that we are not necessarily enthusiastic about providing for exempt positions, but in this case what we were faced with and why we had to provide for these exempt positions -- and if I might add, this is an exception to the rule in Ways and Means -- were basically because of the physicians and the medical that needed to be provided. And it was felt that in those instances, with respect to those positions, we needed to give the flexibility in light of the previous problems that they have had in hiring according to the Civil Service, if many of you have read, previous accounts in other years. And that is why we provided for the director to hire with respect to those types of positions, primarily those positions, to make them exempt."

Senator Chumbley rose in support of the measure and stated:

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

"As a point of clarification, members, I think it's important that everyone understand that these are revolving fund positions. These are not general funded permanent employees. The money that pays for these positions comes from the work that we believe all incarcerated inmates should do. Therefore, the money comes from the revolving fund, and not the general fund.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1403 was adopted and H.B. No. 1638, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1756, H.D. 1:

Senator Kawamoto moved that H.B. No. 1756, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Sakamoto.

Senator Slom, rising to speak against the measure, then said:

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

"I spoke against the Senate bill a month ago. This is a minor matter. It seems that 17 years ago there was, in a redraft of a bill, a provision that was left out of the law. And since that period of time, there's been no problem created, as testified to

by the State Department of Transportation. There's no problem now, and businesses and commercial vendors are subject to ten chapters of business law regulations. So if there's no problem, if there is no offense and if there was an inadvertent error 17 years ago, I don't think we should compound it today. I don't think any additional law or additional verbiage is necessary.

"Thank you, Mr. President."

Senator Kawamoto rose in support of the measure and stated:

"Mr. President, I speak for the bill.

"Mr. President, this measure seeks to restore the authority to impose penalties on illegal commercial activities at the public airports and allows the Department of Transportation to impose such penalties. It is needed and this is to keep the airports running smoothly.

"Therefore, Mr. President, I urge my colleagues to vote 'aye' on this bill. Thank you."

Senator Fernandes Salling rose in opposition to the measure and said:

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

"I had thought that perhaps the chairs of TIA would address this, but the problem that I have with this bill is that it should deal with safety, security, instances where planes or other people may be driving on to the runways and instead what this bill goes on to say is that they are now going to license and regulate and deal with within this whole chapter, commercial activities at public airports and make them subject to this misdemeanor. I've opposed this in the past. I'm opposing it now. I think it's bad to include that provision in this bill. I think the previous problem should be addressed, and yes, it has been, but to add commercial activities, to regulate them, and if the Airports Division finds that it's in violation of their rules, to subject them to a misdemeanor is not a good position for us to take."

The motion was then put by the Chair and carried, H.B. No. 1756, H.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, 23. Noes, 2 (Fernandes Salling, Slom).

Stand. Com. Rep. No. 1415 (H.B. No. 1860, H.D. 3, S.D. 1):

Senator Baker moved that Stand. Com. Rep. No. 1415 be adopted and H.B. No. 1860, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Levin rose in support of the measure as follows:

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

"And very briefly, I made similar comments when we passed the Senate companion bill. My hope is that we can come up with a formulation that will allow us to do away with diploma mills which we all are opposed to, and yet not interfere with legitimate institutions of higher education which grant degrees but which are not accredited. That formula has not yet been arrived at. I understand that the chairs of the appropriate committee are working to look for appropriate language, and I thank them for their efforts and hope that the final product out of conference will be something that we all can live with.

"Thank you."

Senator Metcalf also rose in support of the measure and said:

"Mr. President, I, too, rise to speak in favor of this bill, but with reservations, and ask that Senator Levin's remarks be included in the Journal as my own."

The Chair so ordered.

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

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

"And I would just add that the reason that we've had three House drafts and one Senate draft is that while everybody was complaining that we had a problem of diploma mills in this state, the actual data was in short supply in terms of testimony. But what was in long supply was the fact that this bill, as currently drafted, would represent yet one more barrier to entry to those new colleges and universities. Also, it does not take cognizance of colleges without walls and electronic colleges, and the future of education. And particularly hard hit would be trade and professional educational institutions. So with those reservations, I cast my vote, Mr. President. Thank you."

Senator Anderson added:

"Mr. President, would you have the former speaker's words put in the Journal as though they were my own."

The Chair so ordered.

Senator McCartney rose in support of the measure and stated:

"Mr. President, I speak in favor of this bill with some reservations, but I'd like to thank the chairs for working on the bill.

"I had the privilege of working on this issue before and I think it's a challenging one, so I'd like the remarks of the two Senators from the Big Island inserted in the Journal as my own."

The Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1415 was adopted and H.B. No. 1860, H.D. 3, S.D. 1, 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, 25. Noes, none.

Stand. Com. Rep. No. 1420 (H.B. No. 1243, H.D. 1, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1420 be adopted and H.B. No. 1243, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom, rising to speak against the measure, then said:

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

"I think we all want air quality, the finest air quality. If we can find some way of putting out the volcano on the Big Island, I think we'd be in better shape. Until then I think we need to know if we're going to have bills like this, how many positions we're talking about; what is the total cost going to be for those positions. And when we talk about the environmental response fund paying for this, we see that there have been efforts to increase the contributions or the taxation of that fund. So I rise against the bill.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1420 was adopted and H.B. No. 1243, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Stand. Com. Rep. No. 1421 (H.B. No. 1388, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1421 be adopted and H.B. No. 1388, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose to speak on the measure as follows:

"Mr. President, I'll be voting with reservations on this particular bill.

"The bill allows the courts to collect interest penalties based upon a graduated scale for outstanding traffic citations. And it's my understanding that the traffic courts are behind a couple of million dollars of sending out these traffic citations, and now we're going to be penalized even more. I believe the fines have gone up for everything. Some people can't afford to pay what they do have in the first place, and now we're going to add additional fees. So it's a lot of incompetence, maybe, or poor administration, plus, people not having the money and I just can't see another penalty. Thank you."

Senator Chumbley rose in support of the measure as follows:

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

"This measure will simply allow the courts to impose on all outstanding traffic citations and judgments an additional penalty. Colleagues, the outstanding balance is \$25 million. Think how far that would go back in the general fund to provide for education; to provide for human services and other services. These are law violators. The courts should be allowed to go after these individuals.

"In addition, any additional interest penalty imposed as provided for in this section may be waived by the courts for good cause. So in the circumstances as the previous speaker had expressed concerns about, we have created an opportunity for those fees and additional penalties to be waived.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1421 was adopted and H.B. No. 1388, H.D. 2, 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, 25. Noes, none.

Stand. Com. Rep. No. 1454 (H.B. No. 1840, H.D. 1, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1454 be adopted and H.B. No. 1840, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"We have so many bills that we keep talking about an emergency and a crisis. And any reasonable person could have anticipated, should have anticipated, did anticipate what the

problems were going to be in terms of funding, particularly with the State's Community Hospitals. And the simple fact of the matter is that the state should not be in the hospital business, that we should be moving toward privatization of these facilities and other activities, as well. And until that time, the original bill sought \$21 million. Our version provides \$8 million. I don't think that there is any crisis or any emergency that can't be solved by the people that are directly involved.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1454 was adopted and H.B. No. 1840, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1806, H.D. 1, S.D. 1:

Senator Chun Oakland moved that H.B. No. 1806, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fernandes Salling.

Senator Iwase rose to speak on the measure as follows:

"Mr. President, I'm going to be voting for this bill with reservations.

"The bill amended the House bill by inserting the contents of S.B. No. 257, S.D. 2, and while it's an improvement over the House bill by rejecting the double trigger mechanism, my reservation is based on the fact that it did not adopt the S.D. 1 version of S.B. No. 257. At the hearing there was testimony by both ERS and Budget and Finance who agreed that the S.D. 1 version was far superior. It was a good bill. Various organizations testified in support of the S.D. 1 -- the HSTA, for example, the retirees, the Oahu Retired Teachers.

"Senate Draft 1 does provide about \$126 million over the next two years, dealing with the short term problem we have. And by the year 2007, if it plays out and the projections hold for investment returns, we would not have to contribute as an employer, and save \$300 to \$400 million. However, we unfortunately did not adopt that bill and I hope that in conference that we will reflect upon it and have a change of heart and adopt S.D. 1.

"Thank you."

Senator Sakamoto also rose to speak on the bill and said:

"Mr. President, I would like to also express my reservations on this bill.

"I agree with the previous speaker's remarks. And yes, by 2007 the fund would have been fully funded, and the current bill puts a two-year limit on this. Although a good compromise has been reached, why can't we let our retirees, current employees, really rest assure that the fund is safe and sound on a permanent basis for that matter. That's why I have reservations, Mr. President.

"Thank you."

Senator Solomon rose and said:

"Mr. President, please note a W/R for me. Thank you."

The Chair so ordered:

Senators Tanaka, Slom, Bunda and Anderson also requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was then put by the Chair and carried, H.B. No. 1806, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1456 (H.B. No. 258, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1456 was adopted and H.B. No. 258, S.D. 2, 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, 22. Noes, 3 (Aki, Iwase, Solomon).

Stand. Com. Rep. No. 1460 (H.B. No. 1863, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1460 be adopted and H.B. No. 1863, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto spoke on the measure as follows:

"Mr. President, I'd like to rise and express my reservations on this bill, as well.

"First of all, I'd like to commend the Committee on Ways and Means for really doing hard work, looking at ways to save money, encourage self-sufficiency and, in general, run the state government like a business. Unfortunately, my reservations are in the charging for publications, typically -- pamphlets, brochures. The Department of Consumer Affairs deals with issues such as the landlord-tenant code, liens. People come in, consumers and businesses alike, to get information to solve their problems. They need information to solve problems and possibly for the lack of a \$5 charge, not get the information they want. And later on that escalates to \$500, \$5,000, \$50,000 in lawyer fees and damages. We want to conduct business, but let's protect our consumers, protect businesses and let them have the information they want.

"I guess there are solutions like the Worldwide Web where the government has access, has current addresses where some of this information can be placed with little or no charge. So I encourage that as well, but again, that's why I have reservations, Mr. President."

Senators Solomon, Iwase, Slom and Anderson then requested that their "aye" votes be cast "with reservations," and the Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1460 was adopted and H.B. No. 1863, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1462 (H.B. No. 1654, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1462 was adopted and H.B. No. 1654, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUPERVISION OF

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1464 (H.B. No. 1664, H.D. 1, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1464 be adopted and H.B. No. 1664, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator M. Ige, rising to speak against the measure, then said:

"Mr. President, this is not an easy vote for me, but I just do not believe that with our fiscal constraints that we are faced with today, that we are able to fund this particular appropriation. For that reason I will be going 'no.'

"Thank you."

Senator Slom rose in opposition to the measure and said:

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

"For some of the same reasons that Senator Ige spoke of, we have to prioritize and we have to look at direct educational programs. And I think that we can get more bang for our buck in direct education with other programs.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1464 was adopted and H.B. No. 1664, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ige, M., Slom).

Stand. Com. Rep. No. 1466 (H.B. No. 1797, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1466 was adopted and H.B. No. 1797, H.D. 1, S.D. 2, 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.

Stand. Com. Rep. No. 1471 (H.B. No. 140, H.D. 2, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1471 be adopted and H.B. No. 140, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Bunda rose and said:

"Mr. President, would you have the Clerk cast my vote with reservations."

Senator Anderson added:

"Mr. President, with reservations for me, also."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1471 was adopted and H.B. No. 140, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1472 (H.B. No. 1393, H.D. 1, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1472 be adopted and H.B. No. 1393, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Tam rose in opposition to the measure and said:

"Mr. President, I oppose this bill, Relating to Salaries in the Judiciary.

"Mr. President and fellow colleagues, the timing is bad for raises to executives at this time. I'm not opposed to raises for judges in concept, but again, not at this time.

"Our first priority is to properly fund the basic foundation for education within our public schools. Classroom and student needs are more important at this time.

"Thank you."

Senator Iwase then requested a ruling from the Chair as follows:

"Mr. President, I request a ruling on a conflict. I have a family relation who is a judge and would benefit by this bill."

The Chair ruled that Senator Iwase was not in conflict.

Senator Anderson rose to speak on the measure and said:

"Mr. President, I will be going 'with reservations' on this particular bill.

"I've said before, I don't believe that we should be giving across the board raises to everyone. If you had a study that said, in fact, some of these people are losing money because they're with the state and had they been in private business they would have been way ahead, maybe I could go along with it with no reservations at all. But there is no merit to any of the type of raises that these people are going to be getting. There are no studies that have been done. When I asked, they said the studies were done in the very top attorneys' offices and not in the average. So we don't know if they're losing money and they deserve this raise or just what the merits are. So I have reservations.

"Thank you."

Senator Chumbley rose in support of the measure as follows:

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

"Unlike the previous speaker, I do feel there is merit to this issue, Mr. President. In fact, another of the previous speakers said that our judges should not be paid if we cannot fund education. These judges have gone in excess of seven years without a pay adjustment. If those members who closely read the bill would realize that this is a retention pay and not an across-the-board pay, which the Judiciary Committee originally proposed and the Ways and Means, in their wisdom, reduced it, the original proposal would have only cost about \$350,000. It is not an across-the-board pay raise right now. It will have a limited effect and it is for retention only.

"I believe, Mr. President, that our judges in the State of Hawaii deserve a pay raise. Thank you."

Senator Slom rose to speak against the measure as follows:

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

"A lot has been said about if we don't raise the pay of the judges that many more of them will leave the state. In the case of those judges that did such a great disservice to the taxpayers, families and individuals in this state on the two most recent Supreme Court rulings, Konno v. County of Hawaii and also the constitutional convention, I will offer to drive them to the airport, Mr. President.

"In terms of people leaving this state, we have people leaving everyday because they are forced out of this state because of the taxation, the regulations, and all of negative things that we have done in this state to provide disincentives. So I think it would be a good lesson for the judges to find out how the rest of the people live, and I oppose the salary increase.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1472 was adopted and H.B. No. 1393, H.D. 1, 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, 21. Noes, 3 (Aki, Slom, Tam). Excused, 1 (Fernandes Salling).

Stand. Com. Rep. No. 1473 (H.B. No. 1587, H.D. 1, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1473 be adopted and H.B. No. 1587, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose in opposition to the measure and said:

"Mr. President, I will be going 'no' on this particular measure.

"When we had the topic in Ways and Means, it was my understanding that the identification certificate was costing us a hundred and some odd thousand dollars a year for that particular program. They were bringing in over \$200,000, but because they think they want to keep their department going and there are changes or they may need more money in the general fund, they're now going to make the ID cards expire in six years. I don't think that I've changed that much in six years and I told them I'd look and I tried. I couldn't find any of my ID cards that really changed so I didn't want to make a real big deal about it.

"But the special funds that they're looking at are for new cameras and the whole bit, also. If, in fact, they've been able to give you an ID, Mr. President, and you could use it for a lifetime, I see no reason why if that program has money and it is self-sufficient, that we have to raise it.

"Thank you very much."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1473 was adopted and H.B. No. 1587, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," 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. 1475 (H.B. No. 1610, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1475 was adopted and H.B. No. 1610, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1476 (H.B. No. 480, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1476 be adopted and H.B. No. 480, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"The bill, as drafted, adds a new section that exempts Hawaii from the part of the federal welfare reforms that denies cash assistance and food stamps to anyone with a felony conviction and anyone that has an element of drug possession, use or distribution of controlled substances. We keep sending out mixed messages. If we are truly opposed to drugs, then we should not reward or compensate people for them and the money keeps increasing that we pay for all people. Let's have a priority for those people that do not use drugs.

"Thank you."

Senator Levin rose in support of the measure and stated:

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

"I just want to make sure that it's clear that this bill does not allow for assistance to go to all persons who have been convicted of a felony. It is only for those who are complying with treatment programs. I think that is an important distinction and one that we appropriately are putting into law.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1476 was adopted and H.B. No. 480, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ige, M., Slom).

Stand. Com. Rep. No. 1477 (H.B. No. 1714, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1477 be adopted and H.B. No. 1714, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom, rising to speak against the measure, then said:

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

"Well, here we go again, Mr. President, another emergency appropriation here to set up an electronic funds transfer to make it easier to get food stamps. We're talking about \$1.6 million of state funds and additional federal funds, as well. I think we can better spend our money and I think that if we privatize and contract out these services, we can all save money and do a better job.

"Thank you, Mr. President."

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

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

"Mr. President and fellow colleagues, this bill puts funds forward so that we can have an electronic system in relation to food stamps. We have a lot of corruption out there in the community whereby people who have food stamps are selling their food stamps for 50 cents out of the dollar. This would

make the amendment to that deceitfulness in terms of use of food stamps out there by having like a charge card effect.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1477 was adopted and H.B. No. 1714, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN ELECTRONIC BENEFIT TRANSFER SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Bunda).

Stand. Com. Rep. No. 1478 (H.B. No. 1805, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1478 was adopted and H.B. No. 1805, H.D. 2, S.D. 1, 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, 24. Noes, none. Excused, 1 (Bunda).

H.B. No. 1575, S.D. 1:

Senator Tanaka moved that H.B. No. 1575, 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.

"We drink a lot of milk. Milk is extremely important. We have shown that by government manipulation and price controls and distribution controls, we have not helped our local dairies. We have not helped our local consumers. All we've done is interfere with the market process, so I vote against the bill.

"Thank you."

Senator Anderson rose to speak against the measure as follows:

"Mr. President, I'll be voting against this particular measure, primarily because, as I said earlier, when we had a bill some years ago to have the different stores bring in their own milk from the Mainland, I said at that time we'd be ruining our milk industry and what we should do is have them open a processing plant. That particular store that came here was Safeway and they had a processing plant on the Mainland. It would have helped our industry, but no, we went ahead and passed it and I was the only descending vote at the time in the House.

"Now, those same people are being able to get their feed a lot cheaper than our people. They're able to ship in their milk and still be able to run our people out of business because by the time they ship in the feed, pay their employees (the land here is a lot more expensive), naturally our local milk is going to be higher.

"So just giving them a break to sell their milk at a little more, I don't think the governor is doing them a real service. I think we have to find out how we're going to bring in their feed a lot cheaper; how are we going to be able to stimulate their industry rather than just say, 'Go ahead and raise the cost. If the consumer can't afford it, you'll go out of business, anyway.' For that reason I'll be going 'no.'

"Thank you very much."

The motion was then put by the Chair and carried, H.B. No. 1575, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," 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. 1504 (H.B. No. 1837, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1504 was adopted and H.B. No. 1837, H.D. 2, 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. 1508 (H.B. No. 147, H.D. 1, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1508 was adopted and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1511 (H.B. No. 1706, H.D. 2, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1511 be adopted and H.B. No. 1706, H.D. 2, S.D. 2, 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.

"When this act was passed six years ago over the objections of every business organization, every individual, the Department of Labor assessed an additional taxation on every employer to provide for training, and yet, in fact, there was no training in place. The supporters of the bill tried to make the legislation more palatable by building in a five-year sunset provision. The bill and the act was supposed to sunset last year, and in fact it did not. The 1996 Legislature extended it.

"This is a two-year moratorium and as we found out, we really don't come to grips with issues. The issue is that we don't need additional taxation, that this money has been wasted. Over 50 percent of it has gone for administration, and therefore, I think the right thing to do is to kill the fund as was intended.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1511 was adopted and H.B. No. 1706, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING 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. 1515 (H.B. No. 1582, H.D. 2, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1515 be adopted and H.B. No. 1582, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Matsunaga requested a conflict ruling from the Chair as follows:

"Mr. President, I'd like to disclose a potential conflict of interest. My law firm represents one of the claimants in this measure."

The Chair ruled that Senator Matsunaga was not in conflict.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1515 was adopted and H.B. No. 1582, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1517 (H.B. No. 417, H.D. 3, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1517 be adopted and H.B. No. 417, H.D. 3, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Anderson rose in opposition to the measure and said:

"Mr. President, I'll be going 'no' on this particular measure, also.

"I don't want anyone to think that I'm against the environment and trails, but a few years ago we did set aside money for the recreational boats because they said that they paid a portion of the fuel tax and they thought it should go toward recreational boats. Now we're saying we should put money aside from the gasoline tax so that it can go into a special fund for the trail access program. And they look at that as a possible \$250,000.

"I think we're setting a precedent. We're taking money and saying that each individual user can form a little hui and then they're going to need the dollars. So for that reason I'll be going against the measure.

"Thank you."

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

"Mr. President, I, too, will be voting 'no' on the measure.

"What troubles me is that we had a tax of \$2 a day per car rental that was established a number of years ago. The purpose for that tax was the maintenance, operation, construction, and beautification of the highways. Now, we're seeing an attempt to loot that money and put it into the general fund. We have the same possibility with other special funds where the money is being diverted and transferred from the original purpose.

"The other thing is that if we're going to continue to take portions of the fuel tax for whatever purposes that may seem good, we're going to get a bill from the State Department of Transportation next year who have already hinted that they're going to try to raise our fuel tax. So I will vote against this bill also, while still trying to preserve the environment."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1517 was adopted and H.B. No. 417, H.D. 3, 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).

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

H.B. No. 1640, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1640, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1804, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1804, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Iwase spoke on the measure as follows:

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

"Mr. President, this bill sets up a repair and maintenance fund into which is transferred 1 percent of all the GO bonds funding appropriations. Under the bill, the R & M monies can be expended for 'state facilities.' Inasmuch as education is our No. 1 priority, it is my hope that all, or a portion, of the 1 percent would be designated for R & M for our schools and are not to be spent on facilities that may not require the kind of repairs that are needed in many of our public schools. So, for that reason I'm going to go 'with reservations.'

"Thank you."

Senator Kawamoto also rose to speak on the measure and said:

"Mr. President, I rise to speak with reservations.

"Again, as I discussed in committee the concern I have is because of the windfall of the CIP -- \$1 billion in the governor's package, the \$800 million in the House package and the \$550 million for the Senate package. Whatever it is, the 1 percent for the arts is going to be a windfall, and it's going to be an increase of what they normally would have throughout the next biennium.

"I find it very difficult to have the arts community have a windfall and to say that they weren't going to spend the money; they're going to save the money. I find it very hard to believe that an agency would be able to save money when we see other agencies that are biting the dust and are losing good programs because of the budget cuts. I'm concerned that with this kind of activity, we lose good programs like the Youth Challenger Program that the National Guard has. They will need some money. They need \$300,000, and another agency is going to be able to save \$1 million to \$6 million for a rainy day. I just cannot believe we're doing that.

"Thank you."

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

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

"I'd like to reassure Senator Iwase and others who may be wondering what is the intent of the Ways and Means Committee with respect to the repair and maintenance account that is set up in this bill, and that is to provide for these monies primarily to take care of school repairs and maintenance, not necessarily the other facilities. That was our priority -- the school repairs and maintenance."

Senator Sakamoto added:

"Mr. President, I'd like to also express my reservations. Yes, repair and maintenance is very good but perhaps on the arts portion that was in the previous draft, maybe a cap can be put on that portion, so it doesn't become a windfall just by tagging along, Mr. President.

"Thank you."

Senators Slom, Solomon, Tanaka and Anderson then requested that their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was then put by the Chair and carried, H.B. No. 1804, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1650, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1650, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1623, S.D. 1:

Senator Kanno moved that H.B. No. 1623, S.D. 1, be recommitted to the Committee on Human Resources, seconded by Senator Chun Oakland.

At this time, Senator Kanno remarked on the action taken on H.B. No. 1623, S.D. 1, as follows:

"Mr. President, there needs to be further work on the language in this bill."

Senator Kawamoto then added:

"Mr. President, the bottom line for me on this recommittal ... I'd like to thank both chairs for allowing me to take the bill as far as I did on this effort. The bottom line is that I have about five bus-loads of hotel workers that go to Waikiki everyday, early in the morning, to do their diligent work on many of service jobs which we enjoy and the visitor industry to enjoys.

"My concern is employment security. In the old days when we had the plantations, the plantation owners and the employees used to come and work together, create arbitration and collaboration. We've been working on this for three years. Hopefully, this year our atmosphere was for collaboration and arbitration and we thought maybe we could get this bill through. But the concern we have, again, is that many of our hotels, many of our large businesses, the ownership is away from our islands, in foreign countries or on the Mainland, the arbitration and collaboration sometimes is difficult. The aloha for our employees is sometimes difficult. Again, we hope that we can keep the doors open and look at this situation that we have here in Hawaii Nei.

"Thank you very much."

The motion was put by the Chair and carried, H.B. No. 1623, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY APPEALS," was recommitted to the Committee on Human Resources.

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

Senator Baker moved that H.B. No. 582, H.D. 1, 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.

"Mr. President, how could anybody stand up and speak against this bill? How could anybody not be against violence, intentional serious injury or bodily harm and extreme violence?"



Well, that's not what the sport or what the activity actually does. Those of us in the committee listened to testimony.

"What the bill does, first of all, I think is erroneous in its title -- Relating to Combat -- I generally think of combat in terms of military situations. Secondly, when it talks about no rules combat as an entertainment event, we heard testimony that showed that in fact there were rules, that there are national and international associations. Thirdly, there were no statistics to indicate that there had been serious injury or death in contrast to existing sports that we all like to go to and attend. And fourthly, we keep getting this reputation in Hawaii that whenever somebody doesn't like something, we ban it. And we fine and punish people that pay their money to go see it or to promote it.

"I think that we're disregarding the testimony that was made. And besides that, I think there's a conflict here in the Senate, Mr. President, because I truly believe that some of the Senators are holding out until we have no rules combat in the Senate against the House. And I think that some of the Senate colleagues have already been in training. So, for these and other reasons, Mr. President, I will vote against this measure."

Senator Baker rose in support of the measure and said:

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

"Mr. President, H.B. No. 582, H.D. 1, S.D. 1, prohibits holding, promoting and participation as a contestant in a 'no rules combat' or so-called extreme or ultimate fighting contest.

"These events which promote excessive violence and are inherently dangerous, have been banned in New York, Missouri, Kansas, Ohio, North Carolina, South Carolina, Oklahoma, Illinois, Florida, Tennessee, Pennsylvania and Louisiana. The states of Mississippi and New Jersey heavily regulate this activity. Additionally, many other states have allowed specific counties to enact their own regulations. In all, 45 states have some kind of law that recognizes the inappropriate brutality of these so-called sporting events. Notably absent from this list is the State of Hawai'i.

"To give you an idea of what happens at these events, a recent 'Ultimate Fight Championship,' under the so-called rules that were presented to the committee, was held in Alabama on February 8. The *Montgomery Advertiser* reported on the event as follows: 'One bout was halted after a contestant had been repeatedly kneeed in the face,' that's supposed to be against the rules. They stopped the fight 'to clean blood from the downed fighter's face. Incredibly, the bout was allowed to continue, where upon the injured contestant was knocked unconscious, having his head slammed between the floor and his opponent's knee.' (End of quote from the paper.) Those activities are allowed under the rules we were shown at the committee level. So I ask you, does this sound like a legitimate sport to you?

"Mr. President, this legislature continues to enact legislation to curb violence in our homes, our schools and our community. We recently paused for a moment of silence in honor of the man who dedicated his life to nonviolence because we recognized that our society has become all too violent. So it puzzles me how we can pass bills that make it illegal for two individuals to assault each other senseless on a city street, and yet we allow the very same activity to occur in a ring, just because it is presented under the guise of 'sport.'

"Mr. President, this bill will not nor is it intended to ban legitimate sports such as boxing, wrestling or traditional martial arts that have structured rules, real rules -- real federations with names, addresses and phone numbers -- that protect those participants in those activities. Nor is it intended to set a precedent of banning other athletic activities because of their possible risk of injury. Rather, Mr. President, it is aimed at those activities whose objective, solely, is to inflict serious injury and harm to its participants.

"Mr. President, these activities clearly have no place in our community. I urge all my colleagues to join me in voting 'aye' on this measure and allow our state to follow the example of the rest of our country.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 582, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," 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. 1524 (H.B. No. 777, H.D. 1, S.D. 2):

Senator Baker moved that Stand. Com. Rep. No. 1524 be adopted and H.B. No. 777, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Kanno then remarked:

"Mr. President, with reservations."

The Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1524 was adopted and H.B. No. 777, H.D. 1, 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, 25. Noes, none.

H.B. No. 1451, H.D. 1, S.D. 1:

Senator Baker moved that H.B. No. 1451, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Solomon rose and spoke on the measure as follows:

"Mr. President, I'll be voting for this bill with reservations.

"I'd like to bring my colleagues' attention to page 14 of the bill, lines 5 to 18. I feel that the major flaw in this measure lies in the attempt to put a cap on the rents, and unlike most rental agreements we are familiar with which places a large percentage against base rent, this proposal places the percentage on top of the base. It further establishes a rent payable on taxes.

"I would like to suggest that once this bill moves to conference, that we could either remove the sections on page 14, lines 4 to 18, or rewrite the section to help the dealers it was intended to help. This can be easily done with the lease rental of 15 percent, excluding tax.

"Thank you, Mr. President."

Senator Kawamoto also rose to speak on the measure and said:

"Mr. President, I also rise with reservations, and put the previous speaker's remarks in the Journal for me.

"I'd like to also say that the 'mom and pop' stores, the concerns we have are that the 'mom and pop' service station owners, many of these we've seen a decline of. I request that the two chairs that go into conference again consider the 'mom and pop' stores because some day we're going to have gas stations versus service stations. The service is going to be out, and all we're going to have to do is buy gas.

"Thank you very much."

Senator Iwase then requested a ruling from the Chair as follows:

"Mr. President, a ruling on a conflict. The law firm of which I am associated with represents what's designated a manufacturer under the bill."

The Chair ruled that Senator Iwase was not in conflict.

Senator Iwase then said:

"Thank you, Mr. President, then with reservations."

Senator M. Ige then added:

"Mr. President, I, too, would like to express my reservations and would like to have Senator Kawamoto's words inserted into the Journal as though they were my own.

"I also would like to thank both chairs during caucus yesterday for taking into consideration and doing whatever they can to protect our independent dealers in the community. I encourage them to please proceed ahead thinking of our people out there in the community. Thank you."

Senator Baker rose in support of the bill and stated:

"Mr. President, I rise to speak in favor of this measure. I appreciate the words of the previous speakers and want to assure them that we will take their concerns and considerations into account.

"Colleagues, the measure before us, unfortunately, is a familiar one. Over the years, the legislature has attempted to address concerns about the petroleum industry and pricing, about competition and about dealers' concerns in relation to jobbers and manufacturers. Unfortunately, the solutions that we approved in the past were only temporary, delaying the inevitable task of revisiting this contentious, complicated problem again. And, here we are.

"For a short hand description, we've lumped all these issues together and called them 'divorcement' because that was one approach advocated from time to time. We are approaching the end of a six-year moratorium that was supposed to have addressed all of these problems or, at least, allowed for a permanent solution to emerge.

"Unfortunately, the moratorium did not protect lessee dealers. Stations continued to close down during the period of the moratorium. We've seen new rent structures proposed. Some dealers still feel squeezed. And our marketplace remains as inelastic as ever, lacking true market forces for maximum competition.

"Your committee seeks, still, to find a long term solution, a viable solution to the concerns we've heard. A beginning step, we believe a good one, is embodied in this bill before us. We made a concerted effort to obtain as much information as possible so we could make an informed decision. We held an informational briefing to gather data and perspectives from all parties, from the public and private sector. Following that, we held a public hearing on variety of bills, continued the dialogue with dealers and the industry, and sought specific comments on a proposed S.D. 1 before your committee took action. We even made amendments subsequent to those comments. So the measure before us is the result of our collaborative effort, albeit with some shortcomings, to address the concerns around the sale and distribution of petroleum products in our state.

"Under our proposal, the committee sought to address the dealers' concerns, in light of market realities, and ensure that consumers have adequate access to petroleum products and automotive services. We also wanted to foster competition in

the marketplace. Your committee has made a concerted effort to provide a balanced resolution to these issues. We know not everyone is happy with every item or wording in this bill. We are continuing to work on improvements. Most of the stakeholders, I believe, including most of the dealers, can live with the concepts in this measure. The devil, of course, is in the details and that, Mr. President, is what your committee will continue to hammer out in conference.

"Some will argue that government should take a hands off position and allow the market to dictate its own course. While this is sage advice in a highly competitive market, Hawai'i's unique dependence on petroleum products and the limited number of players on the supply side make it necessary for us to maintain some level of control.

"As this measure moves forward into conference, both co-chairs will continue to refine this measure to craft a long-term solution that is in the best interest of Hawaii's consumers.

"I urge all members to vote 'aye.' Thank you, Mr. President."

Senator Slom added his remarks on the measure as follows:

"Mr. President, I'll be voting 'aye' with reservations on this bill in hopes that we can get an even better bill in conference.

"I think, though, that the testimony has shown a number of things that a six-year moratorium has not helped the small independent dealers. They have been reduced in numbers by 50 percent every couple of years. That divorcement is not the answer. That even though we don't believe in no rules combat, we seem to have no rules when it comes to investigating one particular industry over and over and over again, even though there were never any charges or indictments. And I think that what has come out of the testimony and what we know in the business community, that our problems stem from high taxes, high regulations, infractions of the law that place right now and particularly environmental laws that make it extremely unprofitable for businesses to operate. So we're going to have to take these things into consideration in conference, so I will vote with reservations.

"Thank you."

Senator Fernandes Salling spoke with reservations on the measure and said:

"Mr. President, I also rise to speak in favor of the measure, with reservations.

"For the 'mom and pops' I think their major concern is the lease rents, and I am concerned that this measure may be found to be defective with respect to what the committee has done with the lease rent provisions. We may be preempted by the federal government. I do think that the major oil company that is the party here may challenge it and I would like to see a solution that deals with this lease rent issue that is critical to the 'mom and pop' surviving in such a way that it is not going to be subject to a challenge by either that major oil company or by the federal government."

Senator Anderson spoke on the measure and said:

"Mr. President, I have some reservations because of the concerns of the 'moms and pops' issue.

"The petroleum companies, the larger companies, are insisting on some of the smaller ones that there are going to be improvements. They'll be putting in convenience stores. They're saying that they need all of these improvements because they want it. That drives up the cost. Consequently, the dealer will not be able to pay it and the company takes over. If some way or another we could make sure that in some of our areas that these concerns of the dealers are that the people are

coming, they need the full service that we're giving, they don't want the convenience store because there's one close by, maybe then we could keep the cost down.

"What we've got to look at, as far as the petroleum people when I talk to them they say that when they open up a new service station in an area like Kapolei, by the time they put in the infrastructure the cost is high. I can understand that. They cannot find someone who can afford that. But for the small ones that are in place now, when they force them out of business, that's where we're having problems, and that's where my reservations are, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 1451, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1529 (H.B. No. 1579, H.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Stand. Com. Rep. No. 1529 was adopted and H.B. No. 1579, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1899, H.D. 1, S.D. 1:

Senator Baker moved that H.B. No. 1899, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator D. Ige.

Senator Slom rose to speak against the measure as follows:

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

"The purpose of the bill is to conform state law with the newly adopted federal Health Insurance Portability and Accountability Act of 1996. Unfortunately, it doesn't really do that and seeks to exempt Hawaii from certain provisions of the federal law. They would lessen coverage for currently mandated individuals in the state.

"More importantly, from my perspective, two other things that the bill does not do -- it does not adopt all of the language in the federal bill relating to medical savings accounts, which I think would be very beneficial to all of our residents. The original House version offered an opportunity for us to make changes and reform to the 1974 prepaid health care act, which was meant originally to be a partnership between employer and employees which now is almost totally paid for by employers and does not leave, because of the ERISA exemption, any room for reform.

"So for these and other reasons, Mr. President, I will be voting 'no.' Thank you."

Senator Sakamoto rose to speak on the measure and said:

"Mr. President, I'm also forced to support this bill with some reservations.

"The bill purports to be a housekeeping measure. However, my concern is with the definition of the term 'employee,' and what it states, "'Employee' means an employee who works on a full-time basis with a normal work week of twenty hours or more; provided that the term may also include, at the employer's sole discretion, an employee who works on a full-time basis with a normal work week between seventeen and one-half hours and less than twenty hours.' And while I do

recognize that the federal language may require this, I nevertheless feel that this is sort of a subtle and dangerous precedent that can affect various categories of benefits.

"In Hawaii, such a precedent can further damage the business climate and it can have a negative impact on the job market. Instead of helping workers, it possibly could ultimately harm workers, so I'm voting with reservations, Mr. President."

Senator Baker rose in support of the measure and said:

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

"Colleagues, on August 21, 1996, President Clinton signed into law the Health Insurance Portability and Accountability Act of 1996, HIPAA, for short, or as it is commonly referred to, the Kennedy-Kassebaum Healthcare Reform Bill. This legislation is one of the most significant health care initiatives to come out of the federal government in many years. It becomes effective July 1 of this year.

"HIPAA amends three existing federal laws -- ERISA, the Public Health Service Act and the Internal Revenue Code. Congress enacted this measure to address health care issues such as availability, health insurance fraud and abuse, electronic transmission of health care data, long term care insurance medical savings accounts and other related matters.

"As dictated by federal law, if a state has not enacted legislation to implement HIPAA by January of 1998, the state would lose jurisdiction over certain group and individual health insurance enforcement issues to the federal government. Your committee realizes it is important for the state to retain its jurisdiction over insurance policies written in the state and used this bill as a vehicle to address this issue.

"By way of chronology, on April 1, 1997, the state notified the U.S. Department of Health and Human Services of our intent to retain jurisdiction in health care matters and the language contained in H.B. No. 1899, S.D. 1, fulfills this notification requirement. The impending January 1998 deadline requires us to move this legislation forward this session if we are to continue to be able to administer our much-envied health care system.

"Through enactment of H.B. No. 1899, H.D. 1, S.D. 1, we will conform our state insurance statute to this new federal directive so that the state will, in fact, retain its jurisdiction and maintain the level of benefits currently available to citizens of our state. Our prepaid health care act moves us far beyond much of what is contemplated by HIPAA and is mandated to other states. We certainly don't want to go backward with health care in our state.

"Our state's health care systems are among the best in the nation -- the envy of many. While HIPAA provisions are revolutionary in the context of reforming health care on the national level, Hawai'i's laws often times provide even greater benefits to our citizens. As such, we have included a provision in this bill that the requirements of HIPAA apply so long as it is not less -- not less -- than what is currently allowed by state laws, and allows the insurance commissioner to adopt rules necessary to implement HIPAA. The bill also requires the insurance commissioner to convene a task force of stakeholders in this area to review the requirements and implementations of HIPAA. The task force will make its recommendations to the legislature for our consideration next year.

"I urge my colleagues to vote in favor of this very important bill. Especially because it will allow us to address individual insurance plans which are required under this measure but which we were unable to undertake this session.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 1899, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

H.B. No. 432, H.D. 1, S.D. 1:

Senator Chumbley moved that H.B. No. 432, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak on the measure and said:

"Mr. President, I'm going to vote 'aye' with reservations on the bill.

"Just like the Clerk missed something, I think the Judiciary Committee missed something too, and that was the intent of the bill. The intent of the bill was to make sure that people that run in a particular district live and vote in that district. Of course, they use as a rationale that they want to take that out because our supreme court would have ruled against that and our attorney general would rule against that. Looking at the past performance of both the supreme court and our attorney general, I think they should have left it in.

"I don't want to miss it. I will vote 'with reservations,' Mr. President. Thank you."

The motion was then put by the Chair and carried, H.B. No. 432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1540 (H.B. No. 1012, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 1540 be adopted and H.B. No. 1012, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator M. Ige rose in opposition to the measure and said:

"Mr. President, I have some words against this measure.

"Mr. President, the statutes presently read that if any child is found to be in possession of any kind of illegal drugs, a knife, or any type of, I guess, dangerous weapons, the superintendent must step in and approve that suspension. This bill expands that authority to his deputy, or the assistant superintendent. Mr. President, the buck stops with the superintendent. I do not believe we need to do this measure. The buck stops there and we should keep it that way.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1540 was adopted and H.B. No. 1012, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Ige, M.). Excused, 1 (Metcalf).

Stand. Com. Rep. No. 1552 (H.B. No. 145, H.D. 1, S.D. 1):

Senator Chumbley moved that Stand. Com. Rep. No. 1552 be adopted and H.B. No. 145, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom, rising to speak against the measure, then said:

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

"Last month, what we did was pass a bill that defeated the purpose previously to allow taxpayers to receive any excess taxes. Now what we're doing after we've taken that away from the taxpayers, we're saying we're going to deposit even more money for a rainy day fund. I think, Mr. President, it's been raining for quite some time now. We should take care of existing taxpayers.

"Thank you."

Senator Anderson rose in opposition to the measure and said:

"Mr. President, I'll also be voting against the measure and for more or less the same reasons.

"For many years we've been saying, when we had money, that we should have put some money aside. We never did that and we were pouring. And now we're going to start a stabilization fund and I've been against it and I've been voicing my opinion for quite a number of years now in opposition to this one, so I'm going to go 'no.'

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1552 was adopted and H.B. No. 145, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1539, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Fernandes Salling and carried, H.B. No. 1539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1572 (H.B. No. 1841, H.D. 3, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1572 was adopted and H.B. No. 1841, H.D. 3, S.D. 2, 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.

Stand. Com. Rep. No. 1573 (H.B. No. 1618, H.D. 1, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1573 be adopted and H.B. No. 1618, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose in opposition to the measure and said:

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

"I'm in opposition because this directly undermines the stated goals of creating efficient government and supporting the merit principle. Yes, our constitution mandates that civil service must be governed by the merit principle which requires fairness and equity in all aspects of personnel administration.

"Mr. President, negotiating, pricing and repricing violates the basic principles of the merit system. The current system has 4,734 classes of employees in this state -- 4,734, Mr. President. I support the portion of this bill that seeks to streamline, modernize and professionalize the classifying of employees. However, records show that the system for pricing and repricing has been efficient. For the two-year period of appeals ending January 1996, only 37 appeals were filed, of which 10 were granted. For the period ending January 1994, there were 63 appeals filed, three of which were deemed valid and granted.

"The proposed repricing generated a 4-page letter from our Human Services director James Takushi. He has stated that negotiated pricing will make it impossible for him to adhere to the merit principle. Mr. President, I think he's pulled out hairs over this and he can't afford to lose much more, Mr. President. (Laughter.)

"So, let's say, Mr. President, that you had a very good, experienced clerk and assume that he or she was covered under the collective bargaining. That's fine, and Senator Tam had a clerk and he or she was also covered with this negotiated repricing. Now, Mr. President, your clerk, my clerk, Senator Tam's clerk all do the same duties. Merit, in this case, is not how good that individual does, Mr. President. Merit relates to what they do, not how well they do it. So it's a little of a misnomer when we talk about the merit system.

"But what happens in the merit system when one clerk gets priced higher, Mr. President, our merit system forces all of the clerks to be priced higher. And that is not the goal that we need to achieve. So it's not ... maybe it becomes. Is it the merit system or collective bargaining? To pass this bill would be a dangerous hybrid of the two. We already have a hybrid, but this would make it impossible. Maybe we need to choose between the two.

"This bill creates more problems. Maybe we need to choose between the merit system or collective bargaining. For that reason, I vote 'no' on this bill, Mr. President.

"Thank you."

Senator Slom rose to speak against the measure as follows:

"Mr. President, I, too, rise to speak against the bill, although I will not refer to anyone's hair or physical conditions.

"I think that the real problem here is not that we need a methodology or a new way of classifying employees. What we need is more take-home pay and less taxation for existing employees.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1573 was adopted and H.B. No. 1618, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DUTIES OF THE DIRECTOR OF HUMAN RESOURCES DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1575 (H.B. No. 1721, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1575 was adopted and H.B. No. 1721, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 979, H.D. 2, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 979, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"I do not smoke. I do not use tobacco products. I do not think that they are healthful or beneficial in any way, but I will speak against any and all tax increases this session, and particularly when our state and other governments try to use the tax system to try to change social policy. We would have been better off trying to change our own policies within our limits of government.

"The other possibility is that people feel that we can continue to tax one particular industry or activity with abandon and disregard of what happens. If we tax at a rate that is too much and we lose that particular revenue source, then we're going to be looking to our residents to be taxing in other areas in general excise tax in food and clothing and so forth.

"Thank you, Mr. President."

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

"Mr. President, I, too, will be voting 'no.'

"And as stated, I don't smoke and haven't for many, many years. However, it is a tax. I said before that the federal government subsidizes the tobacco industry and just this morning on the news it said that there are numerous states who have millions and millions of dollars from retirement systems and others in stocks within the cigarette industry. So I think that's being a little ridiculous to keep saying that we want to tax the very people and then we buy their stocks. We turn around, we subsidized them with federal dollars and then we say that what we're trying to do is stop smoking for our children and others. For this reason, I'll be voting 'no' because it is an additional tax and it's not going to help anyone.

"Thank you."

The motion was then put by the Chair and carried, H.B. No. 979, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Slom, Solomon).

H.B. No. 1648, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1582 (H.B. No. 351, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1582 was adopted and H.B. No. 351, H.D. 2, 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, 23. Noes, 2 (Iwase, Solomon).

Stand. Com. Rep. No. 1584 (H.B. No. 1656, H.D. 1, S.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1584 be adopted and H.B. No. 1656, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto rose to speak on the measure and said:

"Mr. President, coming from God's country with its six ethnic groups, many of which receive financial assistance from this Project Hope, I rise with reservations and wonder what will happen to these ethnic groups without the Project Graduation.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1584 was adopted and H.B. No. 1656, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1587 (H.B. No. 1188, H.D. 1, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1587 be adopted and H.B. No. 1188, H.D. 1, 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.

"I don't think we have to appropriate any state funds whatsoever to have a crime symposium. All we have to do is walk down Waikiki or go to any of the shopping centers and we get all the education we need.

"Thank you, Mr. President."

Senator Anderson then added:

"Mr. President, I had reservations in committee and would you please put the words of the former speaker into the Journal as though they were my own."

The Chair so ordered.

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1587 was adopted and H.B. No. 1188, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1031, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1031, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 1320, S.D. 1:

By unanimous consent, action on H.B. No. 1320, S.D. 1, was deferred to the end of the calendar.

H.B. No. 113, H.D. 1, S.D. 1:

Senator Chumbley moved that H.B. No. 113, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Slom spoke on the measure as follows:

"Mr. President, I rise to vote 'aye' with reservations on this bill.

"I notice that we keep expanding the listing of controlled substances, and particularly in Hawaii with our culture with those people that practice herbal medicine -- native Hawaiians, Chinese and others. I think what we're doing is putting an unfair burden on them with this definition. I think we should all be against hard drug use and I think we should be very clear on what we're defining. So I have reservations.

"Thank you."

Senator Chumbley rose in support of the measure and said:

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

"Mr. President, I want to make it clear to our colleagues that the Judiciary Committee did reject -- it did reject -- the Department of Public Safety Narcotics Division recommendation to include ephedra and ephedrin, which is the Ma Huang natural herb. That is not included in this measure in any way whatsoever.

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 113, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1597 (H.B. No. 233, S.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Stand. Com. Rep. No. 1597 was adopted and H.B. No. 233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fukunaga, Ige, D.).

H.B. No. 392, H.D. 2:

By unanimous consent, action on H.B. No. 392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES," was deferred until Tuesday, April 15, 1997.

At 12:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:33 o'clock p.m.

Stand. Com. Rep. No. 1602 (H.B. No. 1433, H.D. 2, S.D. 2):

By unanimous consent, action on H.B. No. 1433, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 1605 (H.B. No. 1686, H.D. 1, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1605 was adopted and H.B. No. 1686, H.D. 1, 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. 1606 (H.B. No. 1796, H.D. 1, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1606 be adopted and H.B. No. 1796, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Taniguchi rose and said:

"Mr. President, reservations for me on this bill."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1606 was adopted and H.B. No. 1796, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1608 (H.B. No. 133, H.D. 2, S.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1608 was adopted and H.B. No. 133, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNICAL AND VOCATIONAL TRAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1609 (H.B. No. 1086, H.D. 2, S.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1609 was adopted and H.B. No. 1086, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WORK OPPORTUNITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1610 (H.B. No. 1798, S.D. 1):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1610 be adopted and H.B. No. 1798, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Bunda rose to speak on the measure and said:

"Mr. President, I rise to speak with reservations on this measure.

"Mr. President, on February 28, 1997 the Hawaii Supreme Court issued the decision in Konno v. County of Hawaii. This decision was handed down at a time when we have many other pressing matters before us to resolve. The Courts, once again, have chosen to legislate rather than to interpret the law. Once again, such a decision puts a strain on all of us because, if left unresolved, it divides us here in the Legislature, as well as in our communities. At the time it was issued, few of us understood the ramifications of this decision. We have all since heard urgent pleas for help in testimonies describing the devastating effects it will have on the lives of our citizens and on the efficient operation of state and county governments. At the urging of the mayors of all four counties, together with the input from the administration, from the construction industry, social service agencies and private citizens, your Committee on Government Operations and Housing amended H.B. No. 1686 to address this issue directly and affirmatively. Your Committee proposed certain remedies for the far-reaching

impact of the Konno decision. I believe the courts took too broad an approach in resolving the landfill issue. This decision would now force state and county governments to maintain, in perpetuity, jobs which were traditionally and customarily held by civil servants. Such a decision cannot be allowed to go unanswered or ignored by this Legislature.

"While we are mindful of the need to protect the integrity of our civil service laws, we simply cannot afford government to expand. We cannot and should not ignore public sentiment against further expansion of government.

"I urge you, my colleagues, to carefully consider your actions today on H.B. No. 1798. This bill calling for a moratorium has really no teeth.

"It avoids the question this Legislature is being pressed to answer. According to this bill 'the moratorium will be in effect for one year to afford all parties an opportunity to review whether existing statutes are adequate or inadequate to cover public contracts which may violate chapters 6 and 77, HRS.' Mr. President, this Legislature must resolve this issue for the good of the public and not put it off for another year. During this Session, the Legislature is being asked to consider many forms of privatization to reduce the cost of government.

"The House is considering privatizing prisons. And this body, led by you, Mr. President, is considering privatizing the convention center operations. If this is the desire of the Legislature, we must then resolve the problems raised by the Konno decision now or all of this discussion is really meaningless!

"Furthermore, Mr. President, it is my belief that this issue has major budgetary considerations which, if we do not address will make our budget projections really worthless! If private services are no longer allowed and more civil servants must be hired, then we must re-examine the possible impact it will have on the proposed Senate budget.

"Mr. President, we must act to restore the ability of government to make cost effective decisions -- an option the government had prior to Konno. When deciding issues or cases, according to Chief Justice Ronald Moon in his State of the Judiciary Address to the Legislature, he said, 'judges often apply... statutory law to new facts and circumstances.' Justice Moon admits that the courts do not intend or did not intend to usurp the Legislative function and if the courts stray beyond Judicial interpretation of the law, then 'the Legislature has the ability to cure the trespass.'

"Mr. President, this body has the authority as well as the responsibility to address this jurisdictional question now! The counties have pleaded for help. They have asked this Legislature to do the right thing - for the right reasons - right now! Thank you, Mr. President."

Senator M. Ige rose in support of the measure as follows:

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

"Mr. President, back in March the Mayor of Maui was in my office expressing the grave concerns over the Konno decision and how it would adversely impact the citizens of Maui. As a result of our discussions, the Committee on Government Operations and Housing worked with the counties to develop language that would address their concerns. Unfortunately, by focussing on counties' concerns the concerns of other affected parties were not fully understood or realized.

"Seeking to devise a bill that would address additional concerns, language was circulated for discussion purposes. Because of the lack of time, we were not able to find language that would provide the counties with the flexibility that they desired, while addressing the legitimate concerns of the parties

that were affected. As a result, the measure before us proposes a one-year moratorium, hoping that this would give us the time between now and the end of session to find language that would accomplish what needs to be done today without creating any unintended problems. Our goal is simple -- to draft a thoughtful, well-considered bill that we can all be very proud of.

"Mr. President, I am confident that during the days remaining, we will have the courage to find the balanced statutory language necessary to address the concerns of all parties involved. Our citizens of this state, I urge you and my colleagues to please support this measure.

"Thank you."

Senator Sakamoto rose to speak against the bill and said:

"Mr. President, I rise in opposition to the measure.

"In its present form, the bill attempts to deal with the Hawaii Supreme Court's ruling in Konno v. County of Hawaii by providing a one-year moratorium. The previous speaker asked, well, maybe we'll work it out in the next few weeks -- maybe, but the bill doesn't say that.

"Mr. President, I'm an engineer. I believe in thorough reviews. Minor details to some can be essential to me. Now, Mr. President, if a building is falling down I don't say, well let's wait one year to study it. If something's wrong, it needs an immediate response because it's the right thing to do and because I have business sense and I know that my liability will increase every day that something is not done.

"Mr. President, can we really afford to chance increased liability and legal exposure for our state and our counties? An overwhelming number of testifiers have been mentioned, including the county mayors, their corporation counsels, council members, state and county department heads. Even the state judiciary said, in effect, the building is falling down.

"We have asked for a bill to allow them to continue operating under the status quo and protect them from liability. This bill does not do that. We have stated that changing from the existing private contracts to providing the same level of service with civil servants will cost them three times as much. Many examples, three times as much, Mr. President. That's what the testimony stated.

"There are no more dollars to allocate. We all know that. So this bill give us two choices -- risk increased liability by continuing to operate in the same way or simply suspend services because we cannot afford the higher costs. So the court, in rendering a decision, called for legislative action. How can we in good conscience answer, 'Oh, okay, please wait one year while we study the problem.' Mr. President, we need a solution immediately.

"Thank you."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1610 was adopted and H.B. No. 1798, S.D. 1, 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, 21. Noes, 3 (Anderson, Sakamoto, Slom). Excused, 1 (Levin).

H.B. No. 1799, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1799, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Slom rose in opposition to the measure and said:

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

"As I mentioned earlier, there's been a conscious effort during this legislative session to take monies from pre-existing special funds and divert them into general funds and leaving less money in the original fund and creating situations where we're going to be calling for tax increases. This is particularly true in the Department of Transportation highway funds, which this bill seeks to do.

"In addition to that, what it also does is provide that the rental car or rental vehicle and tour vehicle tax that I mentioned earlier is going to be increased. The tax will be increased, but it's an undetermined amount. That, too, would go into the general fund.

"So, for these and other reasons, Mr. President, I oppose this bill. Thank you."

Senator Sakamoto also rose in opposition and said:

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

"In the hopes that this body can see its way clear to take care of some of the flaws, Mr. President. The flaw, to me, is that by taking monies that are currently in special and revolving funds and putting them into the general fund, we're breaking promises to our constituents. Some of these funds were willingly supported because the contributors believed that it would help them either individually or collectively. Others were mandated by the state for specific impacts or goals.

"For example, the employment training fund which we dealt with earlier in H.B. No. 1706, we acknowledged that the \$8 million balance was sufficient. That was a mandated fund to go to good cause and for much of small business, as was mentioned earlier, contributors questioned it, questioned it. Now, although additional contributions are put on moratorium, what will happen to the \$8 million, Mr. President? This bill seemingly sweeps this \$8 million into the general fund. This and other funds, not just this one. So, small businesses, big businesses, alike, have contributed. All the good thoughts about training, etc. washed into the general fund -- in essence, another tax.

"So many times we save things, Mr. President. You know, when your boy was growing up you probably asked him to save his allowance, put it in the bank account. Many of you have children and talk about savings, and then when dad needs to pay the mortgage, does he sweep these savings into his pocket, Mr. President? I think we need to look at who saved, for what, and really be very careful about what we sweep into the general fund.

"Thank you, Mr. President."

Senator Kawamoto added his remarks as follows:

"Mr. President, I just want to rise and say that I have some concerns but I want to go 'aye.' I don't want to go 'reservations' because I'd like to be on the conference committee on this thing here.

"This is the Department of Transportation and where I am, so I'm going to go 'aye,' but I do have some concerns."

Senator Fernandes Salling rose to support the measure as follows:

"Mr. President, I rise to speak in favor of the bill and I will just address my comments to the highway fund.

"I invite Senator Slom to visit with me so that I can explain to him the intent of this Senate which has been not just this year alone but in prior years which was to prevent a large increase in



the gas tax. The measure that you have within the bill, addressing the transfers, would do just that. We are trying and we have been trying for previous years and the intent was always to prevent a large increase in the gas tax. And that is why the Ways and Means Committee recommended that we do as we proposed in this raid bill, which is to avoid that large increase which we felt we would see if we adopted the administration's proposal.

"So, if you will note, yes we did, in fact, transfer the surcharge to the general fund, but we also took back from the general fund and replaced these funds into the highway fund the GET on gasoline sales, which is something that traditionally belonged in the highway fund. And with that we have indeed gained an additional \$9 million in the highway fund.

"We also, in this bill, in order to protect the highway fund from being raided by the administration, provided that in order for the administration to transfer any funds from the highway fund to the general fund that they would have to insure that there was a 150 percent guarantee for these projects for three years, not one year as is presently stated. The whole purpose was, from the Senate's point of view not just this year, but to protect this position from prior years, was to prevent anyone from increasing the gas tax to a much higher level than what is normally seen, what is normally done over the course of the years.

"And I encourage you again to meet with me. I'll be more than happy to explain this. It is complicated, I know, and therefore you might be a little confused about it, so feel free, Senator Slom, to call me anytime and I will be more than happy to brief you on the history of this."

Senator Slom then inquired:

"Mr. President, would the co-chair of the Ways and Means Committee yield to a question?"

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

"Thank you, Co-Chair, for the education and certainly it would be my great pleasure at anytime to come up and see you sometime and to learn from you."

Senator Fernandes Salling remarked:

"I'm right down the way from your office, Senator."

Senator Slom continued:

"You're right. It was a little confusing because were you saying we're going to get a tax increase from fuel taxes or we are not going to get a fuel tax increase?"

Senator Fernandes Salling replied:

"Traditionally we have always had to increase the fuel tax, but by a modest amount and this was to take care of the needs of the maintenance and for the projects that we have to fund. But, what we were trying to prevent and have always stood firm in this body was to increase the fuel to allow for an increase in the fuel tax to an unconscionable amount, which is what we feared would happen with these proposals that were being proposed by the administration and therefore we proposed in the bill to do those three things, which we hope will plug the loophole, so to speak, and not allow for that kind of unconscionable increase in the gas tax."

Senator Slom then responded:

"I thank my distinguished colleague from the beautiful Garden Island for that explanation and it makes me feel much better, Mr. President, because now I know the whole idea is to cook us like frogs, slowly in the water, raising the gas tax a

little bit at a time, rather than at one time so that we might jump out and save ourselves.

"Thank you very much, Senator." (Laughter.)

Senator Anderson rose in support of the measure and said:

"Mr. President, I'll speak in favor of the bill.

"When I see some of the concerns of my fellow colleagues is that when we impose a tax on any one segment of our community, such as we did with the car rental people, we told them that they were using the roads and the highways, they had to pay a surcharge of \$2 per. It ran into the millions of dollars, and then they took that out of a special fund saying that it was no longer needed there. What we were looking at, hopefully, I think, even though I'm speaking on behalf of the bill, is that we would have cut those taxes from that group, and not say, 'Well, yes, you can take it into the general fund, even though you don't need it from the car rental people we do need your taxes.' And I think that's what my colleagues are very upset about and I don't quite blame them. But like my fellow colleague over here, I'd certainly like to be on that committee.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 1799, H.D. 1, 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, 23. Noes, 2 (Sakamoto, Slom).

H.B. No. 350, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 350, H.D. 1, S.D. 1, was deferred to the end of the calendar.

H.B. No. 472, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:00 o'clock p.m.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

#### THIRD READING

Stand. Com. Rep. No. 1602 (H.B. No. 1433, H.D. 2, S.D. 2):

Senator Fukunaga moved that Stand. Com. Rep. No. 1602 be received and placed on file, seconded by Senator Solomon and carried.

Senator Fernandes Salling moved that H.B. No. 1433, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senators Solomon and Iwase offered the following amendment (Floor Amendment No. 1 - See EXHIBIT "A") to H.B. No. 1433, H.D. 2, S.D. 2.

Senator Solomon then moved that Floor Amendment No. 1 be withdrawn, seconded by Senator Iwase and carried.

Senators Fukunaga and Fernandes Salling then offered the following amendment (Floor Amendment No. 2 - See EXHIBIT "B") to H.B. No. 1433, H.D. 2, S.D. 2.

Senator Fukunaga then moved that Floor Amendment No. 2 be withdrawn, seconded by Senator Fernandes Salling and carried.

At this time, Senator McCartney requested a waiver of Rule 53 of the Rules of the Senate for the purpose of offering an amendment to H.B. No. 1433, H.D. 2, S.D. 2.

The Chair granted the waiver.

Senators Fukunaga and Solomon then offered the following amendment (Floor Amendment No. 3 - See EXHIBIT "C") to H.B. No. 1433, H.D. 2, S.D. 2.

Senator Fukunaga moved that the amendment be adopted, seconded by Senator Solomon.

Senator Fukunaga rose to speak on the Floor Amendment as follows:

"Mr. President, Floor Amendment No. 3, which has been distributed to the members, deletes Sections 1, 2 and 3 of the existing bill so that there is no longer any reference to the University of Hawaii Lab School.

"The amendment also requests that the auditor review the recommendations of the University of Hawaii Curriculum Research and Development Group and report and submit its findings 20 days prior to the convening of the 1998 Legislature."

Senator Anderson then rose and said:

"Mr. President, after listening to that and getting a description and the whole bit on the audit, may I ask for a short recess so that I can have the Sergeant-at-Arms pass out some information that I think is beneficial to some of my statements and I think it will be very helpful to each and every Senator. May I ask for that request, please."

At 2:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:07 o'clock p.m.

Senator Anderson continued:

"Mr. President, to go on, I finally found out what the amendments were and it's just that the auditor shall conduct a review and recommendations of the curriculum, and I can buy that. What I wanted to pass out so that everybody makes sure that we did have the attorney general's decision as to the constitutionality of the original bill, plus that because of the statements that have been going back and forth as to the makeup of the school, I wanted to pass that out so that you'd see the family backgrounds on the students, the ethnic backgrounds on the students, and the learning performances. And I thought that was interesting because for the last few days we've been debating that, Mr. President.

"So, with the new language I have no problem at all. But I would hope that if we do anything over the next few years, that we, (1) look at all schools; and (2) that we make sure that there is a study done and that the AG comes out with a look at the Constitution to see what we have to do.

"So those are my recommendations as things that I've looked at and I do thank the two chairs and the other people that were involved in this. I think that everybody can live with the amendments, and I thank you very much.

"Thank you, Mr. President."

Senator Iwase rose to support the Floor Amendment as follows:

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

"Mr. President, the best point of this amendment is that Sections 1, 2 and 3 of the bill are deleted, and for those who are here in the audience, those are the sections dealing with the Lab School and the issue of tuition and they will no longer be part of the bill. They will not be considered by this body, and it will not pass at all this session. There will be no tuition imposition on the University Lab School by any bill before us this session.

"As we move forward, Mr. President, and look at this bill or issue, I would hope that we would pause and consider an attorney general opinion which is 33 years old -- in fact, so old, but valid, that the writer's daughter is now the director of the City's Department of Land Utilization (Mr. Takayama). But the opinion still stands. It is 33 years old and it concluded that the University of Hawaii Lab School is a public school and that an imposition of tuition or tuition fees is inconsistent with public policy -- that we provide free public education to all of our children -- and that it is illegal. It is a position which, again, is valid. We must adhere to that and hopefully matters like this will not come before us again.

"Thank you, Mr. President."

Senator Slom also rose in support and said:

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

"What it does is validate what we did in this body several weeks ago when we honored and recognized the University Lab School for its outstanding achievements both in Hawaii and nationally and internationally. And I think it's a real credit to the parents, the teachers and the students that have been here participating in the democratic process and have been so patient for so long. So let's pass this bill.

"Thank you, Mr. President."

Senator Solomon rose to support the Floor Amendment and stated:

"Mr. President, I, too, speak in support of Floor Amendment No. 3, and I would like to thank my colleague, who is the co-chairwoman of the Ways and Means Committee, who worked out a compromise which I feel is a very positive one on this issue.

"Thank you very much."

Senator McCartney, also supporting the motion, then said:

"Mr. President, I, too, would like to follow the remarks of the previous speaker and thank the chairs of the Ways and Means Committee, and also thank the Senator from Mililani for making the good suggestions on Amendment No. 3.

"Also, Mr. President, I'd like to have inserted into the Journal the Executive Summary, not the entire report but the Executive Summary of the Curriculum Research and Development Group (CRDG) Task Force report that was done, dated April 1, and it's about six pages.

"And also for the record, just to let our colleagues know that their work has gone on and on and on, and maybe sometimes they're guilty of not tooting their own horn, but what we're looking at is in the area of science programs. There's over 80,000 books in our schools right now. In Hawaiian Studies, there are over 10,000 books. In other programs like music, there's 80,000 books there, and there's a lot of good work that has gone there.

"I think today's discussion was very good for the students and for all of us. The intention is how do we preserve and protect the Lab School, and that's what the authors and everybody have been talking about. I think we've come up with a good compromise and we need to work on making sure that the Laboratory School stays a viable entity of this university and the State of Hawaii. I think a lot of good is done there and today's discussion and debate and democracy, I think, was very healthy for this body and also for the students who were here.

"Thank you, Mr. President."

The Chair having so ordered, Senator McCartney's request to insert the Executive Summary of the Curriculum Research and Development Group (CRDG) Task Force report is identified as ATTACHMENT "I" to the Journal of this day.

Senator Baker then added:

"Mr. President, I don't know whether, in Senator Anderson's remarks, he asked for his handouts to be included into the Journal, but I would make that request because I believe it adds an additional historical perspective and some much needed information for those who will come after us and want to understand our actions today. Thus, these documents, including the prevailing attorney general's opinion, will be a part of the official record of the Senate."

The Chair so ordered and identified Senator Anderson's handout as ATTACHMENT "II" to the Journal of this day.

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

By unanimous consent, H.B. No. 1433, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was placed on the calendar for Third Reading on Thursday, April 10, 1997.

H.B. No. 1640, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1640, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Sakamoto rose in support of the measure as follows:

"Mr. President, I rise in support of this bill but feel that I need to express a few concerns.

"Mr. President, the Committee on Ways and Means should be really commended on this bill as well, in forwarding a lot of good things to stimulate the economy. And I kind of would like to use an analogy -- you go to the market, sometimes you buy a bunch of grapes (like I saw in Senator Solomon's office this morning), but in the bunch of grapes, sometimes you need to pick out the brown ones or the smashed ones and in this parcel of grapes, good grapes, there is a lot of small business caucus recommendations -- things that really will help business -- like related to decreasing the pyramiding on general excise tax for lease property transactions, deferring general excise taxes for some certain businesses, other general excise tax deductions for certain wholesale services. However, in that bunch of good grapes I'm a little disappointed on the one that gives substantial investment exemptions for new capital and it only provides exemptions for newly created businesses.

"And with this it would ignore Hawaii's existing businesses in this section. And these businesses have really toughed it out these last seven years -- down-sizing, delaying growth, trying to hang on to their employees. And if we're going to encourage capital formation we should look at companies and businesses that have really struggled through these hard times. And they should have an equal footing with these new businesses for benefits from any new sources of capital.

"That's my remarks. Thank you, Mr. President."

Senator Iwase then said:

"Mr. President, with the exception of the grapes analogy, I wanted to incorporate the comments of the previous speaker with my reservation vote. Thank you."

Senator Fernandes Salling rose and spoke on the measure as follows:

"Mr. President, I won't talk about the grapes, but I do want to state with respect to what Senator Sakamoto raised, what he considers problems with respect to not, perhaps, addressing the needs of the businesses in Hawaii.

"In developing the tax package for the Ways and Means Committee and moving forward to the House, we needed to provide some balance and I believe that we did try to accommodate with respect to tax relief for our struggling businesses, as you will see in the next four bills. So with that in mind, your committee felt strongly that we also should, on balance, provide for a measure to attract new businesses to Hawaii. And I might add that the administration was also interested in providing some sort of GET exemption for the film industry. So, one could look at that and think that perhaps we are in concert with respect to that measure. But we have looked at how we can provide relief for our struggling businesses -- the businesses that exist here in Hawaii -- and as I said before, to balance it with an incentive such as this.

"I would like to, because members felt that we should discuss the tax package which is key to also developing and down-sizing the budget. That's one other part of what we were trying to do. Down-sizing government was to provide for tax relief and incentives for our businesses to stimulate the economy. Let me read and highlight some of the measures that are being provided in this bill and that is, of course, many of you know the pyramiding to try to address that with respect to not just commercial leases, but wholesale services. This has been a problem, as many of you know, and I think that we're trying to move in different directions. It's going to take a while for us to see some relief, but we have to begin now. That is one that we are proposing for the House to consider. The second, of course, is the new businesses that was mentioned. The third is incorporating in the bill the moratorium for those islands that have experienced high unemployment and this is the deferral of the GET. And of course, I want to point out that it's optional. There is no revenue loss; it's a wash.

"So those are the measures that are incorporated in this bill as part of our Senate tax package that goes hand in hand with what we are trying to accomplish with respect to the Senate's state budget. Thank you."

Senator Slom then added:

"Mr. President, reservations, please."

The Chair so ordered.

The motion was then put by the Chair and carried, H.B. No. 1640, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1650, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1650, H.D. 1, 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.

"I spoke against the bill, the Senate version, a month ago. It gives an income tax credit for the installation of residential burglar alarms. It does not say what the credit is going to be and only picks this one particular item. Again, if we're looking at fairness and equity for our taxpayers, we need to reduce our tax burden in one fell swoop rather than looking at individual piece meal credits.

"Thank you."

Senator Anderson then added:

"Will you please note a reservation for me on that."

The motion was then put by the Chair and carried, H.B. No. 1650, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1031, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1031, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

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

"Mr. President, again this is part of the Senate Ways and Means tax package.

"Essentially what we are providing for is a tax credit exemption for computer software companies. The tax revenue loss to the state is nominal, a modest amount.

"What we have also incorporated in this bill, which I think is important to highlight, is in addition to trying to help our struggling businesses and to turn our economy around, we felt it was important to also provide some tax relief for our residents. Therefore we have allowed for, in this bill, a decrease in the standard deduction and personal exemption. We've also allowed for conforming with the income tax automatic extension treatment in the IRS ... I'm sorry, I apologize ... that was not part of our measure to help the economy, but the next one is, which is to increase the standard deduction and that is to provide relief for our residents.

"And also dealing with the intermediary services, again with respect to the pyramiding, to try to address it in such a way that will hopefully turn the direction of the state in such a manner that we will pursue more structural changes that is very badly needed with respect to improving and helping our economy."

Senator Slom rose in opposition to the measure and stated:

"Mr. President, unfortunately I have to rise to speak against this bill, as well.

"While it has many good parts to it, it also has a couple of parts that we cannot accept. One, for example, provides a GE tax exemption for certain software companies -- not all software companies, but certain companies -- and those software companies in Hawaii will not benefit from that. Secondly, it does impose a 4 percent use tax on services and a 1/2 percent tax on intermediary services.

"We only wish that all of the good positive things would have found its way into a single bill, including the standard

deduction. But because of these negatives, I am forced to vote 'no.'

"Thank you, Mr. President."

The motion was then put by the Chair and carried, H.B. No. 1031, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 1320, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 1320, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

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

"Mr. President, the final bill that deals with our Senate tax package incorporates three different bills. One is to address the concern that was raised earlier with respect to increasing the deduction from 50 to 80 percent for business meals and entertainment expenses because we realized that we have many, many restaurants and small business restaurants going under. Part of the RIP, rest in peace, obituaries.

"The second measure deals with providing GE tax exemptions for, I think what many of you have heard in the last few days, the maintenance and servicing of aircraft by Continental who wishes to establish here in Hawaii.

"And the third ... now I'm sure that Senator Slom will probably have to, to be consistent, rise and oppose this bill. The third measure is dealing with a tax and that tax is to look at the TAT, more popularly known as the transient accommodations tax. We would like to pursue it further, take it to the House, discuss whether or not this is a measure that both bodies can support.

"Thank you."

Senator Slom rose to speak against the bill as follows:

"Mr. President, not to disappoint the kind co-chair, I rise to be consistent.

"I am forced once again to vote 'no' on this bill precisely for what the co-chair said because it does propose a new tax on time share ownership which has constitutional and other implications. And I would like to volunteer in the future, Mr. President. I'd be very happy to have the co-chair 'come up and see me sometime' and we can discuss how we can put all good items in one single bill and vote on that together. (Laughter.)

"Thank you, Mr. President."

Senator Fernandes Salling responded:

"Mr. President, in response, if you will allow me, to the previous speaker, I didn't realize that you were on a higher floor than we were." (Laughter.)

Senator Iwase then added:

"Well, I think sometimes he thinks he is. (More laughter.)

"Mr. President, a ruling on a conflict. My law firm represents a time-share industry participant."

The Chair ruled that Senator Iwase was not in conflict.

Senator Anderson spoke on the measure as follows:

"Mr. President, I don't have a law firm that's in any conflict, but I did have some concerns about the last part of it, so I do have some reservations. I brought it out in committee. I think the first two items are great. I'm very happy that we're trying to help get a new airline here. I think it's great that we are doing something for the small business people in the restaurant business, but it bothers me that they were losing \$2,800,000 (so the tax director said) and so they turned around and put another tax on time-sharing. And that kind of bothered me when they did that with that particular bill. So those are my reservations.

"Thank you very much."

The motion was then put by the Chair and carried, H.B. No. 1320, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

H.B. No. 350, H.D. 1, S.D. 1:

Senator Fernandes Salling moved that H.B. No. 350, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Fernandes Salling rose in support of the measure and said:

"Mr. President, I rise to speak in favor of the state budget. It's been a long morning and afternoon for me, so, bear with me, members.

"I'd like to begin, Mr. President, by going back to when we first began our work in Ways and Means and that was in November, if I recall. And of course, it was obvious to us at that point that our economy was suffering and we needed to do something to stimulate it, to provide jobs, to help look at how we could help the struggling businesses. And so, we began by considering measures that would address and hopefully help in those areas. We met with the Tax Review Commission and a lot of good suggestions were proposed. We then, in December, many of them we incorporated into bills and introduced them when session began.

"In December we got the first Council of Revenue projections which, of course, meant a loss of \$50 million, and then it followed up in ... at that point, I should say, having to deal with that, we looked at, of course, down-sizing government which was, I might add, always also a priority with the committee in addition to the tax measures to help our economy. So we began our work with the review of the executive budget, keeping in mind that perhaps in March when the Council of Revenues would again release their projections, that we would see something as we did experience, which was a \$260 million loss in revenues.

"When this occurred, having experienced both the loss in December and in March, your committee, acting on your instructions, requested of the departments their recommendations for an 8 percent cut, knowing that was in the neighborhood of what we would need to realize in order to balance the budget. I'd like to say that the departments were very cooperative and they did appear before us within three days, in fact, and identified areas where they could take the 8 percent cut. Your committee, at that point, reviewed not once, not twice, four times their recommendations, and then we went further to verify their figures not once, not twice, but many times with a lot of information being shared from the departments and being reviewed and verified by our competent staff, who are sitting up there in the audience. On behalf of the co-chairs, we do want to say you did an outstanding job and we're very lucky, by the way, to also have some experienced people on board.

"But anyway, we had to assess their recommendations very carefully to determine whether or not we could take their recommended cuts. And in some cases we did not. In addition to looking at and verifying their figures, the committee felt that we needed to establish policies so that we could look at and assess the recommended cuts across the board to take out as much subjectivity from this process as we could. And with that, we did meet with and brief our members, with respect to these policy decisions, essentially, that we would take all vacant positions, except for teachers and shortage categories, that we would cut in areas that did not affect direct services, that we would look to the bureaucracy at the top to see if there was any fat and to cut there. We did this in most cases at the top using a formula so we could again say that we were not looking at personalities, of course, but doing it by formula and taking most of the subjectivity out of this decision-making -- being objective.

"We determined that with respect to services that again were direct, such as purchase of services, that we would recommend and provide and agree that those purchase of services that were recommended for approval by the departments would be part of our budget.

"These were some of the policy decisions that the committee arrived at in order for us to do as fair an assessment of the recommended cuts by the departments, as suggested by the departments.

"With that in mind we then ... I would just like to highlight the subject matter areas and the decisions that were made. Within economic development, that area, we provided for, many of you know, the \$10 million emergency funding for tourism promotion. We had a lot of discussion about HVCB's accountability and therefore we also stated in the budget that in order for them to be accountable for those funds, which is absolutely necessary in the short run to help our economy while we are waiting for the economic package to kick in, which will take a while and for some of the recommended CIP projects to also show some relief in our economy, we determined that we needed to cut out the second year funding. That was the only way that we could hold them accountable.

"Moving on to transportation, this was one area where, unlike other departments, it is totally funded by user fees and it was the only department that could provide for jobs in our economy. Therefore, we restored positions throughout the state that had been cut in the last two years by the administration -- needed positions. And in addition to that, we also provided for about \$4 million for make-work programs on islands that were identified as experiencing high unemployment. Again I must stress that this is an area that is funded by user fees and not monies out of the general fund. And, in fact, this is transportation. Indeed, if one were to say, do we have a rainy day fund? this is it, in my opinion ... this department. But with the cooperation of the department, we were able to provide for jobs in this area.

"Social Services. Of course I know this has been of major concern to most people, taking care of those in need. Essentially, how we approached it is very logical, cut and dry, if you may. The cuts were made based on actual caseload, not projections. We found that the department's projections were far off from the actual caseload. The caseload is being determined, not 96 or 95, but they need to keep up-to-date and so we had a pretty good idea of what the current caseload was, so we determined the cuts on that basis.

"We also realized that, again, there are people in need and although the federal government did cut out funding for legal immigrants, we felt that we should provide those funds for the first year, allowing for the legal immigrants to have additional time to try to become naturalized. And we have programs in place to help them do this. So in a sense it is providing for the first year, encouraging them to do this, to become naturalized.

There's always an opportunity for us to come back next year to see what the situation is.

"Education was also a major area, and as many of you know, statements were made and we held firm on this that there are no 'sacred cows' and education was one area that we needed to look at. The Department of Education came in and did recommend cuts to arrive at their 8 percent, which is what we requested of all departments. We reviewed those recommendations and found in most cases that we could not accept their cuts. Many of them, as perhaps you know already from what you've read in the press, dealt with cutting out kindergartens. In a sense they're doing it as a half-day rather than a whole-day kindergarten, and more importantly, cutting programs from K through 3, which is critical for these children. These are the formative years of a child and this is where more emphasis should be placed rather than cutting, so we did not agree with that.

"I think one of the major, major areas of concern that the department recommended cutting was what they identified as their supplementary cuts. This amounted to about \$24 million, and if you review those (and we've provided members a list of that), we're looking at cutting out Special Olympics, athletics, the whole range of needed and extracurricular that balances out with the instructional, and we did not accept those cuts. And I'd like to make that clear because I keep hearing that we did cut, for example, Special Olympics. We did not accept those cuts. So we had to look elsewhere in order to meet or try to meet the 8 percent. So, one of the policy decisions was to cut the unemployment insurance and work comp and to say to the Department of Education and also the University of Hawaii that they had to be accountable and to find internal savings to deal with those claims. That was one of the policy decisions that the committee did decide upon.

"We did not cut the request for the Felix funding. However, we did say, because we were running into problems identifying the numbers, that the second year funding would be cut in order for the committee to get a handle on, with the department, the number of kids that needed to be provided for with respect to services under Felix.

"Higher Education. Essentially, the highlight was, again as I mentioned, the work comp and unemployment. We took those funds and we told the University, with respect to the claims, to find those monies within internal savings. I should mention that in Education we took the vacancies across the board, but, again, we did not take vacancies in shortage categories and also teacher vacancies. And in this area, especially, we found that there is a lot of bureaucratic 'fat higher levels' so to speak and so those positions were identified again by formula. And what we did was we reallocated those positions down to the school level.

"The emphasis here in education was to insure that we took care of the school instruction. That was the priority for the department in this area.

"Public Safety. Part of what we felt that needed to be addressed was the fact that we needed to provide for more bed space and if we were going to say that we were adopting (I always have a mental block against this) the 'truth-in-sentencing,' which many people felt strongly that those that were convicted should remain in prison for the length of their terms with no exceptions, we needed to address the problem of how to accommodate them. So rather than looking at temporary expansion of facilities, what we did was we provided for more money, \$5 million in the first year, \$10 million in 1998-1999 to send 600 more inmates to Texas, which by the way, they enjoy Texas. The reports have come back. They really like it there because there's a lot of programs, unlike here. That will allow us time to look at finding, agreeing on an area that we can build a 1500 bed complex, medium security complex, which is needed to meet the consent decree and accommodate all of these prisoners.

"CIP, of course, goes hand in hand with our economic development package. CIP is very important for our construction industry, for economy, for providing jobs. If you would bear with me, I think that I should read what we identified as the major points for the CIP projects.

"Our intention was 'to cautiously proceed in authorizing select types of projects, recognizing the delicate balance between providing needed construction work and preserving our bond rating, which is so vital to future financing.' As many of you know, we did drop two levels with one bond rating company.

"Your Committee fully recognizes the need to stimulate the local economy through an influx of capital improvement projects.... However, due to the recent lowering of the State's bond rating by the major bond raters and the State's proposal to issue \$500 million of bonds per year for the next two years,' it created a problem and concern for the committee. 'Therefore your Committee, reflecting a more fiscally prudent approach, authorized a total of \$550 million in projects over the biennium' rather than accepting \$1 billion proposed by the administration. 'This will require' (the \$550 million) 'only \$350 million of bonds to be issued in the first year and only \$200 million issued in the second year ....' And I must point out that the state traditionally has issued \$200 million every year, so we wanted to bring it back to that level because that was also a concern of the bond companies that perhaps the state would not come back down to that level from the \$500 million that the administration was proposing.

"We looked at the projects and again identified, set up a criteria for funding the capital improvement projects. And the criteria that we identified were: construction projects that were ready to proceed immediately; the needed health and safety projects; and, again, repair and renovation projects that extend the useful life of the facility. Here we're talking about using GO bonds to take care of the priority, which was our school repairs, and by allowing for language that would extend the useful life of the facility. We felt that we could convert the GO bonds for use in the repair and maintenance of our schools. We looked at infrastructure and water development projects, sewer projects. We looked at the smaller projects that local contractors could compete for, and also projects that had matching funds -- all in the effort of trying to get the biggest 'bang for our buck.'

"The new projects will add to future operating costs. New projects that would have added to future operating costs, such as the staffing and the current expenses, were deferred. Many projects that were requested in the second year of the biennium were also deferred, but they should be reconsidered during the next legislative session, at which time the economic impact of the newly appropriated projects as well as the financial condition of the state can be better assessed.

"In effect, by being carefully selective as to the types of projects authorized, your committee strongly believes that the initiation of these projects would have the same economic impact as the state's initial \$1 billion request.

"The committee provided an additional \$35 million for public school repair and renovation projects. We also believe that these projects will be designed and constructed much more expeditiously than a typically new construction project. It is the committee's intention that we afford more local design consultants and smaller contractors a greater opportunity to compete for these projects. We also provided design funds for various projects that can be constructed in fiscal year 1999 through an additional bond authorization after a year's review of the construction program and its effects on the economy.

"Let me conclude by saying that in addition ... well, I should add before I conclude, with respect to the CIP and how we arrived at the policy with CIP, that in addition to the GO bonds,

I would like to point out that we also have on the books authorized projects, special funded projects, totalling in the first fiscal biennium, \$480 million; in the second fiscal biennium, \$486 million. These essentially are projects within the Department of Transportation. So members, when you think of the reduction that we took, down-sizing the CIP to 350, keep in mind that we have this kind of money on the books, these kinds of appropriations in projects that we should all get behind the Department of Transportation to release, to start construction. When we add that up, that's a huge amount of CIP. In fact it exceeds the administration's fiscal year's totals.

"In conclusion, we did not need to raise taxes which is something the Senate felt strongly about, and the committee preserved the current level of funding for the needed services by focussing its efforts on restructuring departments from the top down, while preserving resources that provide direct services to the people. The committee also believes that this budget, coupled with the proposed tax relief package and the economic development measures that I mentioned earlier when we were going over the bills, will drive the economy forward. The committee has answered the challenge to make government leaner and more efficient.

"Through collaborative efforts on the part of the Senate members, your Ways and Means Committee, Mr. President, submits this balanced budget to you."

Senator Tam also rose in support of the bill and said:

"Mr. President, I speak in favor of the budget bill, in particular in terms of the education budget.

"First of all, I'd like to thank the Ways and Means staff and the co-chairs for their hard work and long hours. Being a former staff member of Ways and Means years ago, I know it's like 20 hours a day or more and I appreciate it. After this month the WAM staff can go to sleep. Thank you very much.

"Mr. President and fellow colleagues, the education budget is in good shape this year, for the following reasons: (I have eleven reasons)

1. The repair and maintenance money for the Department of Education, \$35 million in operating funds, and \$17 million in capital improvement project money in repairs and maintenance.
2. We eliminated the executive fat or waste in Department of Education management.
3. The clerical positions in Department of Education upper management was moved down to the schools to directly service our students.
4. We retained the Department of Education's basic classroom needs for our public school students.
5. We added more dollars for textbooks and supplies.
6. We funded full-time school registrars in every intermediate public school.
7. We also funded all the public high schools' athletic health specialist positions on a full-time basis.
8. We moved all the dollars of vacant positions within the Department of Education.
9. We retained the classroom supplemental programs such as the after-school improvement program.
10. We retained full-day kindergartens and, as also mentioned by the previous speaker, the Department of Education did recommend half-day kindergartens which we refused. And in fact, it would violate one of the main

goals of education, one of the first goals of education for the State of Hawaii, that is to prepare our young ones for the first grade.

11. We retained the A+ program. We add that the Department of Education recommended the elimination of the program itself.

"In closing, Mr. President, I asked the House of Representatives to adopt the Senate's position in funding our state's education system at the classroom level and for our students. The education budget has improvements in terms of more dollars that directly impact our public school students.

"Thank you."

Senator Anderson added his remarks on the measure as follows:

"Mr. President, very briefly I did sign the committee report with reservations, and my reservations are very ... I'll do it very fast.

"In yesterday's Star-Bulletin, Hawaii ranks near the bottom in how we spend highway funds. And we're cutting back, supposedly, and being more prudent in government, and yet what we're looking at is restoring 234 various jobs. In the paper it states that in cost-effectiveness and funding state highways, we rank very, very low, one of the lowest. In fact, Hawaii ranked among the worst five in overall performance for several years. We were the 47th in 1995, the latest year of the study. The ranking was an improvement over 1993 and at that time we ranked No. 50. That's quite a ways down.

"Also, another thing that worries me a little is the cost of our administration in the Department of Transportation. Right now it's costing, according to the news media, 14.3 percent of total expenditures. That bothers me, Mr. President. And I'm not sure where these 234 various jobs are. I wish they were in some areas that ... if they were going out to the private sector, because the highway fund is made up of user fee generated revenues. And I would hope that would have gone to help small businesses and businesses that could use the employees in that type of business. And that's why I have reservations.

"I thank you so very much, Mr. President."

Senator Sakamoto then added his comments as follows:

"Mr. President, I'd like to commend the Ways and Means staff and committee, as well, for all their good things in there and the good grapes, not all the grapes, but on whole, very good. Kind of opposing to what you did with some of the wine that was stored up that was for special purpose. You took it to your wine cellar, but so be that.

"But in response to Senator Anderson, thank you for those concerns, and our Transportation Committee can keep a watchful eye and hope that, to good end, the previous transportation chair is familiar with some of the issues and we can be mindful of your concerns and hopefully not have highway robbery, but really do good for our citizens, Mr. Anderson. Thank you for the comments."

Senator Anderson rose again and said:

"I didn't want to omit thanking the two chairs and all of their staff for working so very hard. I do appreciate them. They have been available whenever we have needed them -- all of them. And I do thank them very, very much."

Senator Fukunaga rose to support the measure as follows:

"One final set of comments, Mr. President.

"What we wanted to do was focus on partnership and collaboration this time around. I think the things that you see before you are the products of working together. It is instructive to note that by working together with the subject matter chairs, the members of Ways and Means, and you, Mr. President, and your staff, and our very hard working Ways and Means staff, we were able to trim the governor's original request by over \$250 million. We therefore go forward, reinforcing the notion that we can do well, we can preserve services at the community level, and we can make government work better for all our people.

"Thank you."

The motion was then put by the Chair and carried, H.B. No. 350, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate Concurrent Resolution	Referred to:
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No. 246	Jointly to the Committee on Human Resources and the Committee on Ways and Means
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Senator Kanno, for the Committee on Human Resources, requested a waiver of the 72-hour Notice of a Public Hearing on S.R. No. 80 and S.R. No. 74, and the Chair granted the waiver.

At 3:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:11 o'clock p.m.

Senator Fukunaga, for the Committee on Ways and Means, also requested a waiver of the 72-hour Notice of a Public Hearing on S.C.R. No. 142, and the Chair granted the waiver.

Senator Slom rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I'm a little concerned about my colleague, Senator Kawamoto, about that \$6,000. I just want to make sure that it's not being transferred from the fuel tax fund into the Food Bank fund.

"And I did want to say I wanted to add my thanks too, to all the hard work of my colleagues and to their staff and committees, but in this era of collaboration I am a little disappointed, Mr. President, because a month ago when we did this, everybody said that because I spoke so long we were going to meet in the Majority caucus room and indulge ourselves in ice cream. Now obviously, I did not speak long enough and did not vote 'no' on enough bills today to warrant further collaboration and ice cream, so I'll try to do better next time, Mr. President.

"Thank you." (Laughter.)

The Chair then commented:

"The Chair would like to thank all the members for their participation this morning and this afternoon. Thank you very much to you and your staff for all the hard work."

#### ADJOURNMENT

At 3:15 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 4:00 o'clock p.m., Thursday, April 10, 1997.



EXHIBIT "A"

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 1

DATE APR 08 1997

TO: H.B. No. 1433 H.D. 2, S.D. 2

SECTION 1. House Bill No. 1433, H.D. 2, S.D. 2, is amended as follows:

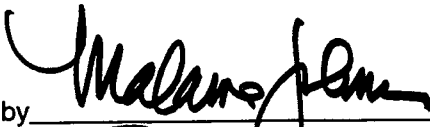
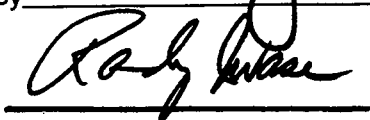
1. By deleting Part I:

["PART I

SECTION 1. Chapter 304, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§304- University of Hawaii at Manoa laboratory school tuition and fees revolving fund. There is established a University of Hawaii at Manoa laboratory school tuition and fees revolving fund into which shall be deposited all revenue collected by the University of Hawaii at Manoa laboratory school for tuition, fees charges, and any other charges to students, except as provided by law."

SECTION 2. Section 302A-1130, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

Offered by   


- ( ) Carried
- ( ) Failed to Carry
- (x) Withdrawn

FLOOR AMENDMENT NO. 1

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"(a) No equipment, material, or other fees shall be assessed against any pupil in any school[, except that the]; provided that:

- (1) The University of Hawaii board of regents may establish and assess tuition and fees for pupil attendance at the University of Hawaii at Manoa laboratory school sufficient to equal costs and to become self-sufficient; and
- (2) The department may assess and collect special fees and charges from pupils for co-curricular activities and from pupils who negligently break, damage, lose, or destroy school books, equipment, or supplies. Any pupil found to be responsible for the loss, destruction, breakage, or damage of school books, which shall include library and textbooks, of equipment, or of supplies, shall make restitution to the school in any manner, including the payment by the pupil or the pupil's parents of the actual replacement costs."

SECTION 3. The amount appropriated to UOH 100-University of Hawaii, Manoa in the amount of \$                      shall lapse to the credit of the state general fund if House Bill No. 350 and this bill are passed by the legislature with the substantive

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provisions of H.B. No. 1433, H.D. 2, S.D. 2, during this regular session of 1997; and if both this bill and House Bill No. 350 become acts with the substantive provisions of H.B. No. 1433, H.D. 2, S.D. 2., on July 1, 1997."]

2. By renaming Parts II and III and renumbering the remaining sections as follows:

"PART [II] I

SECTION [4.] 1. The legislature finds that only through community and parent involvement in our schools can students realize their full potential and contribute to a better Hawaii. The school/community-based management initiative facilitates this end and the legislature will continue to support this program.

The legislature also finds that educators at the school level, while given the responsibility for the success of our children, are hindered in the management of their school's resources. To many, the budget remains a mystery, and the schools are unable to effectively use the fiscal tools provided.

This part will provide schools a firm voice in the management of their resources. The legislature has confidence in the educators who work closely with our children, and this part is a demonstration of this confidence.

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SECTION [5.] 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§302A- School-by-school budgeting. (a) For the purposes of this section, "school-by-school budgeting" means a process in which schools are given maximum flexibility in the preparation and execution of their budget.

(b) Participation in school-by-school budgeting shall be voluntary and initially limited to schools operating under either school/community-based management or student-centered school systems. Beginning with the budget preparation for the 1999-2000 school year, the eligible schools participating in school-by-school budgeting shall prepare their school's budget with the assistance of the department. The schools shall be allowed full discretion over the funds designated as school lump sum. The schools shall also be informed of the degree of discretion allowed over other types of funding, and shall formulate their budgets to achieve instructional program goals.

(c) The department, through either the state or district offices, shall provide appropriate training and technical assistance to schools in budget preparation and execution, and ensure that school budgets are in compliance with federal and

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state law, and the statewide education policy as set forth by the board.

(d) The department shall provide reports from the state and district offices to the schools. Reports relevant to budget preparation shall be provided no later than three weeks prior to the required date for a school's budget submission. Reports relevant to budget execution shall be provided no later than two months subsequent to the start of each new fiscal year. Reports for budget preparation shall include, but are not limited to:

- (1) Statewide legislative, executive, and board actions on the education budget;
- (2) A summary of guidelines provided by the governor in the preparation of the budget;
- (3) Guidelines established by the department and the board for school budget preparation;
- (4) The school's total budget ceiling with documentation of adjustments to the level of funding as compared with previous years;
- (5) Budget ceilings for all cost elements;
- (6) Explanations of criteria for staffing and funding for the school; and

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(7) Other information as necessary for efficient and effective budget formulation.

(e) Reporting requirements for budget execution shall include, but are not limited to:

- (1) Statewide legislative, executive, and board actions on the department budget;
- (2) Restrictions by the executive, and application of these restrictions by the department by program ID, level IV and level V program, and cost element;
- (3) Reserves held by the state and district offices, along with the rationale and parameters of expenditure for the reserves;
- (4) Descriptions of each type of allocation along with the degree of budget flexibility that accompanies each allocation;
- (5) Full explanations of the budget approval and appeal process along with timetables relevant to the processes; and
- (6) Other information necessary to provide the school with an understanding of budget execution decisions, policies, and procedures.

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(f) Prior to the beginning of each school year, schools participating in school-by-school budgeting shall prepare expenditure reports for the previous fiscal year that include, but are not limited to:

- (1) Expenditures by each allocation type listed by cost element and means of financing;
- (2) Variances between expenditures and the budget submitted for that fiscal year by allocation type, cost element, and means of financing;
- (3) Funds carried over from the prior fiscal year by allocation type and means of financing;
- (4) Areas of budget shortfall and surplus; and
- (5) Other information that provides an understanding of school level budget actions.

The reports listed in subsections (d), (e), and (f) shall be made available to any interested party upon request. Schools shall provide adequate notification to administrators, teachers, parents, and other school level personnel that these reports are available for review."

SECTION [6.] 3. Section 37-34.5, Hawaii Revised Statutes, is amended to read as follows:

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"~~[[§37-34.5]]~~ Department of education; allotment and expenditure plan; updates. The department of education shall submit an annual allotment and expenditure plan to the governor for each fiscal year[.] that specifically identifies the amount the department will allocate for school lump sum funding. The governor may require the department of education to submit an update of the expenditure plan based on changing economic conditions."

SECTION [7.] 4. Section 302A-1004, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department shall submit to the legislature and to the governor, at least twenty days prior to the convening of each regular legislative session, an educational status report that includes but is not limited to the following:

- (1) Results of school-by-school assessments of educational outcomes, including reference to such student performance standards and school-by-school assessment models as may be developed by the commission on performance standards and adopted by the board;
- (2) Summaries of school-by-school lump sum allotments and department allocated sums with accompanying expenditure requirements;



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- [(2)] (3) Summaries of school improvement plans;
- [(3)] (4) Summary descriptions of the demographic makeup of the schools, with indications of the range of these conditions among schools within Hawaii;
- [(4)] (5) Comparisons of conditions affecting Hawaii's schools with the conditions of schools in other states; and
- [(5)] (6) Other such assessments as may be deemed appropriate by the board."

SECTION [8.] 5. Over the years, the department of education has been mandated to provide a number of programmatic functions in the schools. While the mandates often endure, the funding for such mandates does not increase with enrollment, and per school shares of funding often fall to levels which render the original intent moot. In addition to the loss of original intent, the mandates often run counter to the philosophy that the school level is often the best arbiter of how educational resources are used.

Currently there are over \$100,000,000 in funds in the school-based budgeting program (EDN 100) that carry strict provisions for expenditure. When funds for personnel are

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excluded, this amount exceeds the amount over which schools can currently exercise lump sum flexibility.

So that more resources may become available for direct control by the schools, the auditor, with the assistance of the department, shall conduct a review of all programs within the school-based budgeting program, and shall submit recommendations to the legislature as to which programs should be eliminated or maintained. The funds from programs eliminated shall be allocated to the level IV program of the school-based budgeting program entitled "regular instruction" for use by the schools.

During the remaining 1997-1999 biennium, all funds allocated to schools participating in the school-based budgeting program that have accompanying expenditure provisions shall be subject to review by the auditor.

The auditor shall initiate its review as of July 1, 1997, and complete its review of all programs no later than December 30, 1999.

PART [III] II

SECTION [9.] 6. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION [10.] 7. This Act shall take effect on July 1, 1997."

EXHIBIT "B"

SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 2

DATE APR 08 1997

TO: H.B. No. 1433, H.D. 2, S.D. 3

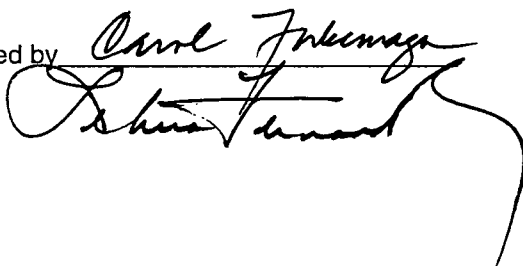
SECTION 1. House Bill No. 1433, H.D. 2, S.D. 2, is amended as follows:

1. By deleting Sections 1, 2, and 3:

["SECTION 1. Chapter 304, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§304- University of Hawaii at Manoa laboratory school tuition and fees revolving fund. There is established a University of Hawaii at Manoa laboratory school tuition and fees revolving fund into which shall be deposited all revenue collected by the University of Hawaii at Manoa laboratory school for tuition, fees charges, and any other charges to students, except as provided by law."

SECTION 2. Section 302A-1130, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

Offered by 

- ( ) Carried
- ( ) Failed to Carry
- (X) Withdrawn

FLOOR AMENDMENT NO. 2

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"(a) No equipment, material, or other fees shall be assessed against any pupil in any school[, except that the]; provided that:

- (1) The University of Hawaii board of regents may establish and assess tuition and fees for pupil attendance at the University of Hawaii at Manoa laboratory school sufficient to equal costs and to become self-sufficient; and
- (2) The department may assess and collect special fees and charges from pupils for co-curricular activities and from pupils who negligently break, damage, lose, or destroy school books, equipment, or supplies. Any pupil found to be responsible for the loss, destruction, breakage, or damage of school books, which shall include library and textbooks, of equipment, or of supplies, shall make restitution to the school in any manner, including the payment by the pupil or the pupil's parents of the actual replacement costs."

SECTION 3. The amount appropriated to UOH 100-University of Hawaii, Manoa in the amount of \$                      shall lapse to the credit of the state general fund if House Bill No. 350 and this bill are passed by the legislature with the substantive

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provisions of H.B. No. 1433, H.D. 2, S.D. 2, during this regular session of 1997; and if both this bill and House Bill No. 350 become acts with the substantive provisions of H.B. No. 1433, H.D. 2, S.D. 2., on July 1, 1997."]

2. By inserting a new section 1 to read as follows:

"SECTION 1. The auditor shall conduct a cost/benefit study on the feasibility of charging a fee or instituting a tuition for enrollment into the University of Hawaii laboratory school in order to offset costs associated with the operation of the school. The auditor shall report the auditor's findings and recommendations to the legislature not later than twenty days prior to the convening of the 1998 regular session."

3. By renumbering the remaining sections as follows:

"SECTION [4.] 2. The legislature finds that only through community and parent involvement in our schools can students realize their full potential and contribute to a better Hawaii. The school/community-based management initiative facilitates this end and the legislature will continue to support this program.

The legislature also finds that educators at the school level, while given the responsibility for the success of our children, are hindered in the management of their school's

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resources. To many, the budget remains a mystery, and the schools are unable to effectively use the fiscal tools provided.

This part will provide schools a firm voice in the management of their resources. The legislature has confidence in the educators who work closely with our children, and this part is a demonstration of this confidence.

SECTION [5.] 3. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**"S302A- School-by-school budgeting.** (a) For the purposes of this section, "school-by-school budgeting" means a process in which schools are given maximum flexibility in the preparation and execution of their budget.

(b) Participation in school-by-school budgeting shall be voluntary and initially limited to schools operating under either school/community-based management or student-centered school systems. Beginning with the budget preparation for the 1999-2000 school year, the eligible schools participating in school-by-school budgeting shall prepare their school's budget with the assistance of the department. The schools shall be allowed full discretion over the funds designated as school lump sum. The schools shall also be informed of the degree of discretion

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allowed over other types of funding, and shall formulate their budgets to achieve instructional program goals.

(c) The department, through either the state or district offices, shall provide appropriate training and technical assistance to schools in budget preparation and execution, and ensure that school budgets are in compliance with federal and state law, and the statewide education policy as set forth by the board.

(d) The department shall provide reports from the state and district offices to the schools. Reports relevant to budget preparation shall be provided no later than three weeks prior to the required date for a school's budget submission. Reports relevant to budget execution shall be provided no later than two months subsequent to the start of each new fiscal year. Reports for budget preparation shall include, but are not limited to:

- (1) Statewide legislative, executive, and board actions on the education budget;
- (2) A summary of guidelines provided by the governor in the preparation of the budget;
- (3) Guidelines established by the department and the board for school budget preparation;

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- (4) The school's total budget ceiling with documentation of adjustments to the level of funding as compared with previous years;
  - (5) Budget ceilings for all cost elements;
  - (6) Explanations of criteria for staffing and funding for the school; and
  - (7) Other information as necessary for efficient and effective budget formulation.
- (e) Reporting requirements for budget execution shall include, but are not limited to:
- (1) Statewide legislative, executive, and board actions on the department budget;
  - (2) Restrictions by the executive, and application of these restrictions by the department by program ID, level IV and level V program, and cost element;
  - (3) Reserves held by the state and district offices, along with the rationale and parameters of expenditure for the reserves;
  - (4) Descriptions of each type of allocation along with the degree of budget flexibility that accompanies each allocation;



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- (5) Full explanations of the budget approval and appeal process along with timetables relevant to the processes; and
- (6) Other information necessary to provide the school with an understanding of budget execution decisions, policies, and procedures.
- (f) Prior to the beginning of each school year, schools participating in school-by-school budgeting shall prepare expenditure reports for the previous fiscal year that include, but are not limited to:
- (1) Expenditures by each allocation type listed by cost element and means of financing;
  - (2) Variances between expenditures and the budget submitted for that fiscal year by allocation type, cost element, and means of financing;
  - (3) Funds carried over from the prior fiscal year by allocation type and means of financing;
  - (4) Areas of budget shortfall and surplus; and
  - (5) Other information that provides an understanding of school level budget actions.

The reports listed in subsections (d), (e), and (f) shall be made available to any interested party upon request. Schools shall

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provide adequate notification to administrators, teachers, parents, and other school level personnel that these reports are available for review."

SECTION [6.] 4. Section 37-34.5, Hawaii Revised Statutes, is amended to read as follows:

"~~[[§37-34.5]]~~ **Department of education; allotment and expenditure plan; updates.** The department of education shall submit an annual allotment and expenditure plan to the governor for each fiscal year[.] that specifically identifies the amount the department will allocate for school lump sum funding. The governor may require the department of education to submit an update of the expenditure plan based on changing economic conditions."

SECTION [7.] 5. Section 302A-1004, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department shall submit to the legislature and to the governor, at least twenty days prior to the convening of each regular legislative session, an educational status report that includes but is not limited to the following:

- (1) Results of school-by-school assessments of educational outcomes, including reference to such student performance standards and school-by-school assessment

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models as may be developed by the commission on performance standards and adopted by the board;

(2) Summaries of school-by-school lump sum allotments and department allocated sums with accompanying expenditure requirements;

[(2)] (3) Summaries of school improvement plans;

[(3)] (4) Summary descriptions of the demographic makeup of the schools, with indications of the range of these conditions among schools within Hawaii;

[(4)] (5) Comparisons of conditions affecting Hawaii's schools with the conditions of schools in other states; and

[(5)] (6) Other such assessments as may be deemed appropriate by the board."

SECTION [8.] 6. Over the years, the department of education has been mandated to provide a number of programmatic functions in the schools. While the mandates often endure, the funding for such mandates does not increase with enrollment, and per school shares of funding often fall to levels which render the original intent moot. In addition to the loss of original intent, the mandates often run counter to the philosophy that the school

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level is often the best arbiter of how educational resources are used.

Currently there are over \$100,000,000 in funds in the school-based budgeting program (EDN 100) that carry strict provisions for expenditure. When funds for personnel are excluded, this amount exceeds the amount over which schools can currently exercise lump sum flexibility.

So that more resources may become available for direct control by the schools, the auditor, with the assistance of the department, shall conduct a review of all programs within the school-based budgeting program, and shall submit recommendations to the legislature as to which programs should be eliminated or maintained. The funds from programs eliminated shall be allocated to the level IV program of the school-based budgeting program entitled "regular instruction" for use by the schools.

During the remaining 1997-1999 biennium, all funds allocated to schools participating in the school-based budgeting program that have accompanying expenditure provisions shall be subject to review by the auditor.

The auditor shall initiate its review as of July 1, 1997, and complete its review of all programs no later than December 30, 1999.

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PART III

SECTION [9.] 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION [10.] 8. This Act shall take effect on July 1, 1997."

EXHIBIT "C"

## SENATE FLOOR AMENDMENT

FLOOR AMENDMENT NO. 3 DATE APR 08 1997  
 TO: H.B. No. 1433, H.D. 2, S.D. 2

SECTION 1. House Bill No. 1433, H.D. 2, S.D. 2, is amended as follows:

1. By deleting Sections 1, 2, and 3:

["SECTION 1. Chapter 304, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§304- University of Hawaii at Manoa laboratory school tuition and fees revolving fund. There is established a University of Hawaii at Manoa laboratory school tuition and fees revolving fund into which shall be deposited all revenue collected by the University of Hawaii at Manoa laboratory school for tuition, fees charges, and any other charges to students, except as provided by law."

SECTION 2. Section 302A-1130, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

Offered by *Care Fukuwaga*  Carried  
*Makana J. Kim*  Failed to Carry  
 Withdrawn

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"(a) No equipment, material, or other fees shall be assessed against any pupil in any school[, except that the]; provided that:

(1) The University of Hawaii board of regents may establish and assess tuition and fees for pupil attendance at the University of Hawaii at Manoa laboratory school sufficient to equal costs and to become self-sufficient; and

(2) The department may assess and collect special fees and charges from pupils for co-curricular activities and from pupils who negligently break, damage, lose, or destroy school books, equipment, or supplies. Any pupil found to be responsible for the loss, destruction, breakage, or damage of school books, which shall include library and textbooks, of equipment, or of supplies, shall make restitution to the school in any manner, including the payment by the pupil or the pupil's parents of the actual replacement costs."

SECTION 3. The amount appropriated to UOH 100-University of Hawaii, Manoa in the amount of \$                      shall lapse to the credit of the state general fund if House Bill No. 350 and this bill are passed by the legislature with the substantive

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provisions of H.B. No. 1433, H.D. 2, S.D. 2, during this regular session of 1997; and if both this bill and House Bill No. 350 become acts with the substantive provisions of H.B. No. 1433, H.D. 2, S.D. 2., on July 1, 1997."]

2. By inserting a new section 1 to read as follows:

"SECTION 1. The auditor shall conduct a review of the recommendations of the Curriculum Research and Development Group Task Force Report, and shall report the auditor's findings and recommendations to the legislature not later than twenty days prior to the convening of the 1998 regular session."

3. By renumbering the remaining sections as follows:

"SECTION [4.] 2. The legislature finds that only through community and parent involvement in our schools can students realize their full potential and contribute to a better Hawaii. The school/community-based management initiative facilitates this end and the legislature will continue to support this program.

The legislature also finds that educators at the school level, while given the responsibility for the success of our children, are hindered in the management of their school's resources. To many, the budget remains a mystery, and the schools are unable to effectively use the fiscal tools provided.



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This part will provide schools a firm voice in the management of their resources. The legislature has confidence in the educators who work closely with our children, and this part is a demonstration of this confidence.

SECTION [5.] 3. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§302A- School-by-school budgeting. (a) For the purposes of this section, "school-by-school budgeting" means a process in which schools are given maximum flexibility in the preparation and execution of their budget.

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(c) The department, through either the state or district offices, shall provide appropriate training and technical assistance to schools in budget preparation and execution, and ensure that school budgets are in compliance with federal and state law, and the statewide education policy as set forth by the board.

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- (2) Summaries of school-by-school lump sum allotments and department allocated sums with accompanying expenditure requirements;
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PART III

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SECTION [9.] 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION [10.] 8. This Act shall take effect on July 1, 1997."



## ATTACHMENT "I"

**REPORT OF THE  
CURRICULUM RESEARCH & DEVELOPMENT GROUP (CRDG)  
TASK FORCE  
Executive Summary**

**Section I: Charge and Methodology of the Task Force**

The Task Force to investigate the Curriculum Research & Development Group (CRDG) of the University of Hawai'i, Manoa was formed on September 5, 1996, by the Senior Vice President for Research and Dean of the Graduate Division, Dean Smith and charged to provide answers to six questions.

1. Is the early and continuing programmatic approach set by the initiating Legislative Report ("Stiles Report") of 1966 still appropriate?
2. Is a University-controlled and supported Laboratory School necessary?
3. If so, are there reasonable alternatives to the present form and source of support to the Laboratory School?
4. Does the CRDG generate the optimal amount of non-general fund income from grants, contracts, sales of materials and services, and gifts?
5. Does the CRDG maintain the optimal balance of services to Hawaiian, Pacific Island, U.S. mainland, and foreign schools, given the financial and professional conditions for providing service?
6. Do the CRDG and the Laboratory School provide optimum (necessary?) service to the Department of Education?

The Task Force formed separate subcommittees to investigate each of these questions. It interviewed individuals who once exercised administrative judgment over the CRDG, worked with it, were students or parents of students, or who had publicly taken strong positions concerning the CRDG or the Laboratory School. Data and documents relevant to the inquiry were collected and analyzed. Appendices A1 and A 2 list Task Force members and those interviewed.

The Task Force met weekly from September 25, through December 13, 1997, and six times during 1997. In addition to local members, Charles Read, Dean of the School of Education, University of Wisconsin, Madison, participated providing an external perspective of the process. Dean Read worked with the Task Force during the week of January 27, 1997, and contributed substantively to this final report.

**Section II: History and Mission Statements.**

The Laboratory School was originally part of the Territorial Normal and Training School. Act 213 of the 1931 Legislature transferred the school to the University and established the Teachers College, now known as the College of Education. As a result of the legislatively mandated report, *Preparation of Teachers and Other Educational Personnel in Hawai'i* (January 17, 1966), the so-called "Stiles Report," the University Laboratory School was converted from teacher training to a center for curriculum research, development, and experimentation. Over a two-year period the teacher training-mission was phased out, and the Laboratory School was integrated into the newly created Curriculum Research & Development Group (CRDG).

The primary mission of the CRDG is to function as an organized research unit of the University of Hawai'i to create, evaluate, disseminate, and support quality educational programs for all students and teachers, preschool through grade 12, and to participate in the instruction and research programs of the College of Education and other branches of the University.

The CRDG fulfills the University's land grant mission of preparing a highly educated citizenry, bringing University expertise to bear on societal problems and providing service programs through outreach.

### **Section III: Context and Environment of CRDG Operations**

The CRDG operates within a complex environment of educational influences that affect the choices it makes in curriculum development. These include changes in local needs, shifting levels of governmental support, and market developments. The task of the CRDG has been to respond within its mission to these influences.

Historically these contextual influences are

- Changes in national models, trends, and financial inducements of the federal government.
- The steady State funding for curriculum development when federal moneys waned in the 1970s.
- Shifts in national curriculum priorities from disciplinary knowledge in the 1960s, to "back to basics," health, and environmental studies in the 1970s, to mathematics, science, and technology in the 1980s, to the current emphasis on congressionally mandated standards or state equivalents to be operational in the year 2000.
- The Federal Department of Education's new emphasis in the 1970s on in-service training of teachers focused on specific curricular programs.
- The National Science Foundation's initiative in the mid-1980s for development of inquiry curricula .
- The impact of computers and telecommunication on curriculum.
- The evolution of the textbook industry into a "big market" phenomenon.
- The continued needs of Hawai'i for curricular specificity.
- Changing relationships with the College of Education (COE) and Department of Education (DOE).
- Development of markets for CRDG materials on the U.S. mainland, in the Pacific region, and international sites outside the Pacific.

### **Section IIIA: Response to Task Force Questions**

1. The appropriateness of the Stiles Report: Review of the activities of the CRDG and the Laboratory School and the curricular environment impinging on them indicates that the assumptions of the Stiles Report remain valid. This is seen when considering the role of the Laboratory School as the beta- test site for CRDG-developed materials, the need for unique Hawai'i specific curricular materials, and the requirement to stay current with changing national curricular demands.

2. and 3. The continued necessity for a University-controlled and supported Laboratory School. The Task Force review concluded that curriculum development for grades K–12 requires relatively permanent teams of committed individuals with various academic back grounds and time and resources to develop new tested curriculum materials. The Laboratory School is an appropriate site for these activities. No alternative explored by the Task Force appeared superior or equal to the present structure.
4. Non-general fund income from grants, contracts, sales of materials, and gifts. The Task Force review found that externally generated funds provided 55 percent of the total CRDG funding, thereby meeting the University-developed performance criteria for organized research units. A complete audit of CRDG funding and expenditures was performed. Income to the CRDG contributes substantially to the State of Hawai'i in terms of providing employment and purchase of services and material.
5. Service to Hawaiian, Pacific Island, U.S. mainland, and foreign schools. The Task Force concluded that the CRDG service in all four areas is extensive and that no imbalance exists with respect to this blend of service. The CRDG curricula are developed from the root base of Hawai'i 's needs for materials and teacher in-service. In a sense, service outside Hawai'i is a derived, rather than a primary driving force.
6. Service to the Department of Education. The Task Force review found that the service to the DOE was extensive, but that perceptions concerning that service differed widely, depending on the familiarity with the work. The Task Force concluded that the services provided were adequate, but that improvements could be made in how the CRDG and the DOE interact with respect to the development of curriculum activities and their dissemination within the DOE.

### **Section III B: New Issues**

As a result of Task Force interviews, nine new issues emerged that we chose to address.

1. The CRDG is often criticized for failing to perform activities that lie outside its mission. This is especially true in discussion of the current teacher shortage that is both a national and a State problem. The Task Force finding is that the CRDG performs acceptably within its mission —responsibility for in-service training.
2. Are Professional Development Schools a viable alternative to the CRDG?  
Professional Development Schools (PDS) have been proposed by some within the DOE and COE as alternatives to the activities performed by the CRDG. In the Task Force view, these are complementary activities, not competitive activities. PDS are designed essentially to enrich pre-service teacher training; they are not focused on curriculum development, a task that would remain even if PDS were developed in the state.
3. Do the demographic characteristics of the Laboratory School fail to serve the State need for representativeness? The claim is sometimes made that the Laboratory School population may be

representative of the state as a whole, but this fails to meet State needs because it does not replicate the demographic characteristics of any particular school or district. In the Task Force view this critique misses the point of the demographic representative needs for a curriculum testing site. The more relevant point is that all groups present in any single DOE school are represented within the population of the Laboratory School and are sampled in the testing process.

4. The CRDG as an emergent educational industry. The CRDG curriculum development efforts are contributing to emergent educational industry in Hawai'i. This is consistent with the aspirations of State leaders to increase commercial production and marketing of intellectual products.
5. The CRDG and the Laboratory School are an example of a multi-cultural school environment that works. The Task Force found strong support in its interviews and examination of school practices to suggest that its successes might be a model for other schools. Model features are a clear philosophy of learning; the existence of a positive learning environment; the existence of student-based cooperative, active, and exploratory learning; high standards of performance; enrichment through the breadth and depth of instruction; and the existence of socially and culturally heterogeneous learning groups.
6. The CRDG and Laboratory School can serve as a center for educational technology transfer to other schools. After the model of the UH Innovation Center, the CRDG and the Laboratory School can be viewed as a State resource for the development and diffusion of new educational technology. Existing successes within DOE can be built upon and expanded.
7. Communication Issues. Communication between the CRDG and Laboratory School and the COE and DOE can be improved. In the Task Force view communication between the CRDG and COE can be improved with a commitment by the leadership to make it so. Similarly, communication between CRDG and DOE can be enhanced by a revitalization of the Teacher Education Coordinating Committee. Joint research appointments between the CRDG, COE, and DOE would also serve to improve communication between the three units.
8. The CRDG specialization. The CRDG has better resources available for the development of curriculum than can be the case with DOE classroom teachers. Curriculum development within CRDG is a dedicated activity that provides it with appropriate personnel, time, resources, testing, and follow-through. These elements cannot be expected to be added on to the burdens of the existing DOE classroom teacher. The CRDG can become better integrated within the processes by which the varied curriculum needs of the DOE are developed and expressed.
9. Administrative placement of the CRDG. Until 1996 CRDG served two administrative masters, the Dean of the College of Education and the Vice President for Research. In July 1996 the CRDG was placed administratively solely within the structure for organized research, overseen by the Senior Vice President for Research. Recently, suggestions have emerged, including a legislative proposal, that the Laboratory School be relocated to the COE. It is the Task Force view that the burden of the CRDG

is in organized research in the field of curriculum design, development, and testing and that the Laboratory School is an integral part of that research. Administration of the CRDG and the Laboratory School should remain with the Vice President for Research. The interests of the College of Education in gaining cooperation in matters of in-service training of teachers in curriculum can be met through a variety of cooperative arrangements.

### **III C: Common Perceptions**

The Task Force discovered in many of its interviews a set of common perceptions about the CRDG and the Laboratory School—mainly about the Laboratory School—that color and give context to how these units are perceived in the community at large. The very persuasiveness of these perceptions led the Task Force to list the more prominent ones and provide responses dictated by its analysis. Further, many of these views figure in the repeated recommendations of some public figures that the Laboratory School be closed—this makes their address central to the mission of the Task Force.

1. The Laboratory School is an elitist institution. It seeks to take only those students who will do well. Admissions are biased toward producing this elitist student body. Further, admissions are open to manipulation, especially by those who occupy political office.

The Task Force conducted a full review of admissions procedures for the Laboratory School and found a contrary case. Admission to the school is dependent first on recommendation by a public school principal. Applicants are then screened into predetermined categories to provide necessary representativeness. Those who pass this level of screening are then interviewed and a final choice made. The Task Force concludes that the process promotes a level of egalitarian choice rather than elitism. It is also the Task Force view that much of this continued perception of elitism is because admission to the Laboratory School results in only a few students out of the many applicants being selected. Disappointment on the part of those not selected may—deliberately or nondeliberately—engender and keep alive a certain amount of misconception about the School's admission processes.

2. The CRDG does little for local students. Most of its research and scholarly energies are directed at developing curricula for those outside Hawai'i. Evidence cited in support of this view is the sale of the CRDG textbooks abroad, including in Russia.

The Task Force found in its analysis that while much the CRDG curriculum product is sold either on the U.S. mainland or abroad, these marketed products were derived from materials first designed for and used to meet Hawai'i's curricular needs.

3. The CRDG is unconcerned with the mission of the Department of Education and gives little attention to its curricular needs. Cooperation between the CRDG and the DOE is poor. The Laboratory School makes an insufficient contribution to the considerable problems of the DOE, including remedying the teacher shortage, providing instruction to ethnically impacted schools, and improving test scores.

There is some truth to a pattern of mixed communication between the CRDG and DOE, but Task Force found in interviews that the pattern of DOE appreciation of CRDG efforts is a) cyclical, b) differs by leadership level within the department, and c) is more constant at the operational levels of the department. Some critique arises from a misperception of CRDG's mission.

4. The primary mission of the CRDG and the Laboratory School is teacher training.

This view of the Laboratory School persists, but is simply misunderstood. It has not been true since action was taken in response to the Stiles Report.

5. The Laboratory School is a public school in name alone. It is in reality a private school in disguise.

This characterization probably arises from the view that the Laboratory School is exempt from most administrative requirements of the DOE and from the School's ability to select its student body. Both are true. However, private schools normally select student bodies to maximize various attributes within their student populations whereas the Laboratory School selects to be representative of the overall public school student population. This misperception may be compounded by the participation of the University Laboratory School in an athletic conference made up of private schools. Unlike private schools, the Laboratory School is prohibited from charging tuition.

6. The Laboratory School is excessively expensive and thus a drain on the tax payers of Hawai'i. Were the school abolished, much needed moneys could be returned to the DOE and University.

An analysis of the CRDG and Laboratory School income and expenditures indicates that the Laboratory School has a smaller per-student cost than the public schools at large. Closing the Laboratory School would provide no budgetary windfall to either the State or the University as these students would need to be supported within the overall public school population, and the legislative appropriation to the University for the Laboratory School would be terminated.

7. The functions of the CRDG and the Laboratory School are easily interchangeable with the Department of Education.

Task Force analysis of CRDG functions fails to support this view. Neither Professional Development Schools nor individual classroom teacher initiative can supplant the beta-testing function of the Laboratory School in the curriculum design process.

#### **Section IV: Recommendation**

The Task force offers six recommendations.

- One**, improve coordination between the College of Education, Department of Education, and CRDG by
- working together to model successful CRDG practices and implement them in the schools.

- reviving the Teacher Education Coordinating Committee.
- linking the COE, DOE and CRDG by using contemporary technology.
- developing an inventory of all CRDG and DOE joint curriculum activity.
- continuing to explore new ways for the CRDG to test curriculum within the public schools.
- intensifying efforts to support teacher training of the CRDG curricula in use.
- increasing CRDG and COE cooperative activity.

**Two**, broaden the consultative mechanisms between the CRDG and the wider public to ensure the latter voice in CRDG research priorities.

**Three**, continue expansion of the CRDG's Asia-Pacific focus.

**Four**, broaden the role of the Laboratory School as a demonstration facility and enhance its training capacity.

**Five**, the CRDG should remain administratively placed within the University's structure of organized research units.

**Six**, initiate a concentrated effort by the University and the CRDG to publicize the CRDG activity within the community.

**Seven**, the CRDG should continually re-evaluate its internal structure to accommodate changing funding dynamics, challenges of "curriculum as technology," and personnel changes.

## Section V: Conclusion

The Task Force reaches five broad conclusions:

**One**, we find no basis for either of two proposals: abolish the Laboratory School or separate it from the CRDG. None of our evidence support these proposals.

**Two**, the CRDG's future and value to Hawai'i is tied to changes occurring within the textbook industry. Mergers in that industry are marginalizing Hawai'i as a commercial textbook market. As far as Hawai'i's particular needs are concerned, the market will not provide. Restricting or abolishing the CRDG would deny Hawai'i access to curricular materials designed to meet its particular needs.

**Three**, Task Force interviews suggest that the growing number of SCBM schools will increase State requirements for locally based curriculum materials.

**Four**, the CRDG and Laboratory School provide a strong net economic benefit to the University and the State. To restrict their successes would impose the costs of foregoing these benefits.

**Five**, the CRDG fulfills its mission and that mission is appropriate for its activity. The State has a continued need for the activities of the CRDG and its Laboratory School.

## ATTACHMENT "II"

The University Laboratory School  
Curriculum Research & Development Group  
University of Hawai'i

**Enrollment Data**

The University Laboratory School (ULS) is part of the Curriculum Research & Development Group (CRDG) at the University of Hawai'i - Manoa. The lab school is crucial to CRDG's work because it is where the staff test and refine new courses and materials until they are ready for Hawai'i's public schools.

To accomplish this work effectively, the lab school maintains a mixed body of regular students who reflect the statewide school population in family financial status, ethnicity, and learning performance.

In the 1996-97 school year, the student body of 360 breaks down like this:

Family financial status	Percentage
Welfare, unemployed, low-income	5
Unskilled or semi-skilled	18
Skilled, technical, clerical	43
Teachers, social workers, small-business owners, mid-managers in sales or services	28
Attorneys, physicians, professors, executives of major businesses and other organizations	7
Ethnicity	
Mixed (except part-Hawaiian)	29
Part-Hawaiian	18
Japanese	17
Caucasian	13
Filipino	9
Chinese	5
Korean	3
Black	2
Samoan	2
Other	2
Learning Performance (based on reading scores)	
Top stanine	11
Eighth stanine	16
Seventh stanine	18
Sixth stanine	16
Fifth stanine	17
Fourth stanine	15
Third stanine	5
Second stanine	1
Bottom stanine	0.3



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STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL  
HONOLULU, HAWAII 96813

December 4, 1964

Dr. Thomas H. Hamilton  
President  
University of Hawaii  
1809 University Avenue  
Honolulu, Hawaii 96822

Dear Dr. Hamilton:

By letter dated September 15, 1964, you requested our opinion relative to the laboratory school operated by the University of Hawaii. Your questions and our answers thereto are set forth below.

I. WHAT IS THE LEGAL STATUS OF THE LABORATORY SCHOOL OF THE UNIVERSITY OF HAWAII?

The University laboratory school is operated by the College of Education of the University of Hawaii and is under the jurisdiction and management of the Board of Regents of the University.

It was originally established and operated by the Territorial Normal and Training Schools, which was under the control of the Territorial Department of Public Instruction. The main function of the Territorial Normal and Training Schools was to train future teachers. In order to accomplish this goal, it established a laboratory school to provide students in training an opportunity to learn teaching skills and methods in an actual classroom situation.

In 1931 by Act 213<sup>1/</sup> the legislature transferred the Territorial Normal and Training Schools to the University of Hawaii and established Teachers College, now known as the College of Education. Since then, the University has continued to operate and manage the laboratory school for the same purpose, and additional purposes, such as that of serving as an experimental base for the development of teaching techniques and methods and to conduct research related to education.

We are of the opinion that the Board of Regents of the University may legally continue to operate the University laboratory school under the broad powers granted it by the State Constitution and statutes,<sup>2/</sup> provided the school is actually operated as a "laboratory school."

II. CAN THE BOARD OF REGENTS CHARGE TUITION OR OTHER SIMILAR FEES TO PUPILS ATTENDING THE UNIVERSITY LABORATORY SCHOOL?

We reply in the negative, for the reason that the legislature has not delegated to the Board of Regents the power to assess fees which are in the nature of a tax and for the further reason that charging of such tuition and fees militates against the public policy of the State of free public education.

<sup>1/</sup> Act 213, S.L.H. 1931, is codified in section 44-17, R.L.H. 1955, which reads in part:

"Teachers college. The teachers college formerly known as the territorial normal and training school, shall be affiliated with the university and shall be under the jurisdiction and management of the university board of regents. . . ."

<sup>2/</sup> State Constitution, Article IX, section 5; sections 44-3 and 44-1.5(f), R.L.H. 1955, as amended.

The taxing power is an attribute of sovereignty and is reserved to the State. (84 C.J.S., Taxation, § 4.) Unless this power has been duly delegated by law, a political subdivision or other agency of government, other than the State, does not have this power. (84 C.J.S., Taxation, §8; 9 McQuillin, Municipal Corporations, § 26.22; see also Art. VII, § 1 of the State Constitution.)

A careful search of our laws fails to reveal any delegation of the taxing power, expressly or impliedly, to the Board of Regents. Consequently, we are of the opinion that the Board does not have such power. (See 9 McQuillin, id., §§ 26.15 and 26.29.)

A tax has been defined as:

"...An enforced contribution, exacted pursuant to legislative authority, in the exercise of the taxing power, the contribution being of a proportionate character, payable in money, and imposed, levied, and collected for the purpose of raising revenue, to be used for public or governmental purposes, and not as payment for some special privilege granted or services rendered." (84 C.J.S., Taxation, p. 32.)

For example, in State v. Gorman, 49 N.W. 158, the Minnesota Supreme Court held that moneys collected by imposing a fee for the settlement of an estate and deposited in the county treasury as part of the general county funds were public in nature and that such exactions were in the nature of taxes.

In the instant situation, we understand that all the moneys collected as "tuition fees" are deposited in the State treasury as general fund realizations to be used for general State uses. We further understand that the legislature has already appropriated moneys for the operation of the University laboratory school. Thus it seems that the "tuition fee" exacted is in the nature of a revenue-raising measure rather than a fee for services rendered, and is therefore in legal effect a tax.

The fact that the exaction is called a "tuition fee" is not material, if it is in fact a tax:

As stated in 84 C.J.S., Taxation, § 34:

"The question of whether a particular contribution, charge, or burden is to be regarded as a tax depends upon its real nature, and if it is in its nature a tax, it is not material that it may be called by a different name. . . ." (Emphasis added.)

To summarize, we are of the opinion that the tuition fee being assessed against students attending the University laboratory school is in the nature of a tax.<sup>3/</sup> The Board of Regents, not having been delegated the power to tax, is without authority to impose such fee.

In addition to the foregoing, we are of the opinion that the imposition of tuition and other fees at the University laboratory school militates against the public policy of the State of free public education.<sup>4/</sup>

Initially, we must determine whether the University laboratory school is a "private" or "public" school, In 78 C.J.S., Schools and School Districts, §§ 606-609, a "private school" is defined as a school which is ordinarily owned and controlled by private persons or by private eleemosynary corporations. A "public school" is defined as a school which is established and maintained at public expense, primarily from moneys raised by general taxation and one that is controlled and administered by the State or its agencies.

3/ Section 44-3, R.L.H. 1955, as amended, expressly authorizes the Board of Regents to charge a tuition fee of not more than \$170 a year per student. We think that this section relates only to collegiate students attending the University and not to school-age children attending the laboratory school.

4/ In Bd. of Education of City of Lawrence v. Dick, 78 Pac. 812 (Kan. 1904), the court stated that the words "common schools" are synonymous with "public schools," and as used in the State Constitution, are interpreted to mean "free schools" so that the act of the legislature in attempting to authorize the board of education to collect tuition fees from resident pupils was void.

The University laboratory school is under the control and management of the Board of Regents of the University of Hawaii, a State agency. The land upon which the school is situated is public land which is held in fee by the University. Its buildings were constructed with public moneys and, since its inception, the legislature has continuously appropriated public moneys for the operation of the school.

We are of the opinion therefore, that the University laboratory school is a public school.

The public policy of the State against assessment of fees may be gleaned from actions of the legislature.

For example, in section 40-5, Revised Laws of Hawaii 1955, the legislature has specifically provided that:

"... No equipment, material or other fees shall be assessed against any pupil in any elementary school."

While it may be stated that said section would apply only to public schools under the control of the Department of Education, the legislative policy of free public schooling is clear.

With respect to imposition of fees above the elementary grades, we note that in 1937, by Act 201, the legislature repealed the statute authorizing an annual fee of \$10 for students in the ninth through twelfth grades. Since then no such fees have been imposed against public school pupils. This grant and subsequent withdrawal of authority to levy and collect fees evince a legislative intent to operate a public school system free of charges.

And finally, the proceedings of the Constitutional Convention relating to public education in general indicate general acceptance of the concept of free public education.<sup>5/</sup>

For the above-stated reasons we are of the opinion that such fees may not be charged.

<sup>5/</sup> See Vol. II, p. 584 of the Proceedings of the Constitutional Convention of Hawaii:

"HEEN: I'd like to find out from the chairman of the committee what was intended when the word 'free' was inserted in this sentence -- free of charge or free from non-sectarian control, or what?"

"WIST: I'd like to answer that. I think that this word 'free' has become sort of standardized; we're thinking of free public schooling for our children. However, since public education has been extending itself into the level of adulthood, perhaps we could resolve this, and I would like to suggest that we do resolve it by stating 'The State shall provide for the establishment, support and control of a state-wide system of public schools free from sectarian control.'

"HEEN: Well, of course, that means free from that type of control, but still it's not free of charge so far as the children are concerned.

....

"WIST: ... What I was trying to say was that the concept of education free of charge to children at the support of taxpayers has become so universally accepted that I don't think it's a serious issue.

"HEEN: Then if the language is changed as suggested by the last speaker, then it would leave it up to the legislature to say whether or not there shall be any charge, tuition fees, book fees, and so forth and so on. Is that correct?"

"WIST: That is correct. It's inconceivable to me, however, that a legislature would ever charge tuition of children attending public school." (Emphasis added.)

III. MAY THE BOARD OF REGENTS ESTABLISH REASONABLE REGULATIONS RELATIVE TO THE ADMISSION OF PUPILS TO THE UNIVERSITY LABORATORY SCHOOL?

We answer this question in the affirmative.

"The right or privilege to attend the public school is subject to such regulations, in respect of the admission and classification of pupils, as the legislature may from time to time see fit to make.

"The classification and assignment of pupils are purely administrative functions inherent in local school authorities, and the board or officers having control and supervision of the admission of pupils as a general rule have a discretionary power to establish reasonable rules and regulations for their admission. . . ." 79 C.J.S., Schools and School Districts, § 350. (Emphasis added.)

We have not found any statutory requirements relative to admission of pupils to our public schools, except the minimum and maximum age requirements<sup>6/</sup> under the compulsory school attendance law and the anti-segregation provision in the State Constitution.<sup>7/</sup> Since the Board of Regents exercises control over the University laboratory school by virtue of the broad powers delegated to it,<sup>8/</sup> the Board has the power to establish admission regulations. These regulations, however, must be reasonable and non-discriminatory. (79 C.J.S., Schools and School Districts, § 350.)

A review of the admission standards at the University laboratory school indicates that they are based on such factors as social and emotional maturity, mental maturity, physical maturity, ethnic distribution, sex ratio, socio-economic background and size of groups.

We understand that these standards are necessary in order to achieve more meaningful and useful results for research and laboratory purposes and that the application of such standards would create classes composed of students broadly representative of the population of the State, so that any new teaching methods or tests devised and applied successfully at the University laboratory school, could be more effectively used by public schools generally.

We are of the opinion that, if the foregoing standards are used in this limited context to achieve the stated purpose, we see no objection thereto.

IV. CAN THE BOARD OF REGENTS OPERATE A SCHOOL CAFETERIA AT THE UNIVERSITY LABORATORY SCHOOL?

We answer this question in the affirmative.

The Board of Regents has broad powers to exercise control over and manage the affairs of the University of Hawaii (Sections 44-1.5 and 44-3, R.L.H. 1955, as amended). It also has broad administrative powers which extend to all matters affecting the welfare of the University. (78 C.J.S., Schools and School Districts, § 906.)

In Gregg v. United States, 22 F.Supp. 802 (1938), the court held that it was within the authority of the school district to establish and operate cafeterias in its public high schools.

<sup>6/</sup> Sections 40-8 and 40-9, R.L.H. 1955.

<sup>7/</sup> Section 1, Article I.

<sup>8/</sup> Section 44-3, R.L.H. 1955, as amended, provides that the Board of Regents shall have general management and control of the affairs of the University.

We are of the opinion that the operation of a school cafeteria is reasonably incident to the operation of the University laboratory school; therefore, although there is no law expressly authorizing it, we think that it is within the scope of the broad powers conferred upon the Board of Regents.

V. CAN THE BOARD OF REGENTS OPERATE A COMPULSORY SCHOOL LUNCH PROGRAM IN THE ELEMENTARY AND HIGH SCHOOL LEVELS AT THE UNIVERSITY LABORATORY SCHOOL?

We reply in the negative.

Although the Board of Regents is vested with broad, discretionary powers, its powers are not unlimited. Its actions must not be unreasonable or arbitrary. (79 C.J.S., Schools and School Districts, § 350.)

We understand that the prime reason for instituting a compulsory school lunch program at the elementary and high school levels is to make the school cafeteria self-supporting financially. It has been reported that the school cafeteria has sustained a deficit over the years.

In State v. Board of Regents of the University of Wisconsin, 11 N.W. 472 (1882), the court stated that the Board of Regents had no power, in the absence of legislative grant, and by mere usage, custom, convenience or necessity, growing out of a depleted treasury, to exact charges from those in attendance as students.

Similarly, the Board of Regents in the instant case cannot mandate students at the University elementary and high school levels to eat in the school cafeteria merely to make it self-supporting financially.

Furthermore, there has been no evidence to indicate that lunches brought by students from home are inadequate or unhealthful, or that the present system of permitting students the option of purchasing school lunches or bringing their own lunches, has in any way been detrimental to an effective school administration.

Based on the foregoing, we are of the opinion that the evidence is not sufficient to warrant the institution of a compulsory school lunch program at the elementary and high school levels.

Very truly yours,

/s/ Roy Y. Takeyama

ROY Y. TAKEYAMA  
Deputy Attorney General

APPROVED:

/s/ Bert T. Kobayashi

BERT T. KOBAYASHI  
Attorney General

## FORTY-EIGHTH DAY

Thursday, April 10, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 4:17 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Mrs. Ann Dusseault, The National Baha'i Center, after which the Roll was called showing all Senators present.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 281 to 284) were read by the Clerk and were placed on file:

Gov. Msg. No. 281, dated April 4, 1997, transmitting the 1996 Annual Report of the Environmental Council, Environmental Report Card, 1996, prepared by the Environmental Council and the Department of Health, Office of Environmental Quality Control.

Gov. Msg. No. 282, dated March 31, 1997, transmitting the "Report to the 1997 Hawaii State Legislature By the Governor's Health Tourism Task Force on Activities Related to Marketing the Expertise and Excellence of Hawaii's Health Care," prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 283, dated March 27, 1997, transmitting the 1995-1996 Annual Report prepared by the State Foundation on Culture and the Arts, pursuant to Chapter 9, HRS.

Gov. Msg. No. 284, informing the Senate that on April 9, 1997, he signed into law Senate Bill No. 1548 as Act 10, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 627 to 731) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 627, returning S.B. No. 35, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 35, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 628, returning S.B. No. 37, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 37, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 629, returning S.B. No. 135, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 135, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 630, returning S.B. No. 138, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 138, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 631, returning S.B. No. 141, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 141, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 632, returning S.B. No. 147, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 147, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 633, returning S.B. No. 152, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 152, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 634, returning S.B. No. 161, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 161, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 635, returning S.B. No. 202, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 202, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 636, returning S.B. No. 226, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 226, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 637, returning S.B. No. 228, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 228, S.D. 1, and requested a conference on the subject matter thereof.













Hse. Com. No. 722, returning S.B. No. 137, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 723, returning S.B. No. 209, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 724, returning S.B. No. 1159, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 725, returning S.B. No. 1303, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 726, returning S.B. No. 1304, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 727, returning S.B. No. 1363, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 728, returning S.B. No. 1484, S.D. 2, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 729, returning S.B. No. 1778, S.D. 1, which passed Third Reading in the House of Representatives on April 8, 1997, was placed on file.

Hse. Com. No. 730, returning S.B. No. 1618, which passed Third Reading in the House of Representatives on April 8, 1997, in an amended form, was placed on file.

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1618 and requested a conference on the subject matter thereof.

Hse. Com. No. 731, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 145 and the request for a conference on the subject matter of said amendments, the Speaker on April 10, 1997, appointed Representatives Say, chairman, Kawakami, Marumoto as managers on the part of the House for the consideration of said amendments, was placed on file.

#### JUDICIARY COMMUNICATIONS

The following communications from the Judiciary (Jud. Com. Nos. 4 to 6) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 4, submitting for consideration and consent, the nomination of RHONDA A. NISHIMURA to the office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

Jud. Com. No. 5, submitting for consideration and consent, the nomination of SANDRA P. SCHUTTE to the office of Judge, District Court of the Third Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

Jud. Com. No. 6, submitting for consideration and consent, the nomination of RHONDA I. LAI LOO to the office of Judge, District Court of the Second Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

#### STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1620) recommending that S.C.R. No. 99 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL," was adopted.

Senators Chun Oakland and Kanno, jointly with Senators Aki and Tam, for the Committee on Human Resources and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 1621) recommending that S.R. No. 35 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 35, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A SCHOOL-TO-WORK TRANSITION CENTER AT KA'U HIGH AND PAHALA ELEMENTARY SCHOOL," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1622) recommending that S.C.R. No. 111, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 111, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE POSSIBLE HEALTH EFFECTS OF THE AERIAL SPRAYING OF HERBICIDES," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1623) recommending that S.C.R. No. 131, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 131, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1624) recommending that S.R. No. 63, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 63, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONSIDER THE RECOMMENDATIONS OF THE BIG ISLAND SUBAREA HEALTH PLANNING COUNCIL'S MENTAL HEALTH AND SUBSTANCE ABUSE COMMITTEE, UNDER THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY, REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE PROGRAMS FOR DUAL DIAGNOSIS INDIVIDUALS IN ITS JANUARY, 1997 REPORT TO THE LEGISLATURE," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1625) recommending that S.C.R. No. 224, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 224, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO EDUCATE ALL RESTAURANTS, DINING ROOMS, AND OTHER FOOD SERVICE ESTABLISHMENTS REGARDING HAZARDS OF AND REGULATIONS PERTAINING TO IMPROPERLY MAINTAINED AIR CONDITIONING SYSTEMS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1626) recommending that S.C.R. No. 116 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AND IMPLEMENT A PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1627) recommending that S.C.R. No. 151 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1628) recommending that S.C.R. No. 152, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LAW ENFORCEMENT COALITION, IN CONSULTATION WITH THE JUDICIARY, TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1629) recommending that S.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 78, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII STATE LAW ENFORCEMENT COALITION, IN CONSULTATION WITH THE JUDICIARY, TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1630) recommending that S.C.R. No. 256 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 256, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND

THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1631) recommending that S.C.R. No. 257 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 257, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES NINTH CIRCUIT COURT OF APPEALS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1632) recommending that S.C.R. No. 198 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 198, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT ON PROVIDING IMMUNITY FROM LIABILITY FOR VOLUNTEERS WORKING WITH GOVERNMENT AND NONPROFIT ORGANIZATIONS," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1633) recommending that S.C.R. No. 163 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 163, entitled: "SENATE CONCURRENT RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1634) recommending that S.R. No. 83 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 83, entitled: "SENATE RESOLUTION URGING CONSIDERATION OF A BREAK-DOWN SYSTEM OF AWARDED FEDERAL CONSTRUCTION PROJECTS IN HAWAII," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1635) recommending that S.C.R. No. 178, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 178, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF TRANSPORTATION, HAWAII'S CONGRESSIONAL DELEGATION, AND OTHER STATE AND FEDERAL PUBLIC OFFICIALS TO PURSUE 'OPEN SKIES' NEGOTIATION BY INITIATING APPROPRIATE ACTION TO GIVE THE STATE OF HAWAII MORE INPUT IN FEDERAL POLICIES AND REGULATIONS AFFECTING HAWAII'S AIRWAYS AND AIR RIGHTS WITH JAPAN AND OTHER PACIFIC RIM COUNTRIES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1636) recommending that S.C.R. No. 203, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 203, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1637) recommending that S.C.R. No. 90, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 90, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE PRESERVATION OF HAWAII'S GREEN SEA TURTLES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1638) recommending that S.R. No. 29, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 29, S.D. 2, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF RESEARCH INTO THE PRESERVATION OF HAWAII'S GREEN SEA TURTLES," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1639) recommending that S.C.R. No. 113, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1640) recommending that S.R. No. 46, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COUNTIES TO IMPOSE ONLY A SIMPLE PERMIT REQUIREMENT IN ORDER TO OBTAIN PERMISSION TO INTER FAMILY MEMBERS IN FAMILY BURIAL PLOTS UNDER STATE LAW," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1641) recommending that H.C.R. No. 48, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION PERMITTING THE IMMIGRATION OF THE CHILDREN OF FILIPINO VETERANS OF WORLD WAR II TO THE UNITED STATES WITHOUT LIMIT AS TO NUMBER AND WITHOUT THE REQUIREMENT OF FINANCIAL SPONSORSHIP," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1642) recommending that H.C.R. No. 223 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE HAWAII CONGRESSIONAL DELEGATION TO HOMEPORT THE JAPANESE MIDGET SUBMARINE (Ha-19) AT PEARL HARBOR," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1643) recommending that H.C.R. No. 238, H.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 238, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE INSTALLATION OF APPROPRIATE NAVIGATIONAL AIDS OR THE ESTABLISHMENT OF A POLICY TO BAN FLIGHTS IN HALAWA VALLEY, MOLOKAI," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1644) recommending that H.C.R. No. 245 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO NAME THE 'HALEIWA BYPASS' IN HONOR OF THE LATE REPRESENTATIVE JOSEPH P. LEONG," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1645) recommending that the Senate advise and consent to the nominations of the following:

WILLIAM T. EMMSLEY, JR., HARLOW M.S.L. URABE, C.E. RAGS SCANLAN, JOHN (JACK) F. SULLIVAN, JR., KAREN H. IWAMOTO and HELEN Y. RAUER to the Correctional Industries Advisory Committee, in accordance with Gov. Msg. No. 184; and

LES S. IHARA to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 186.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1645 and Gov. Msg. Nos. 184 and 186 were deferred until Friday, April 11, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1646) recommending that the Senate advise and consent to the nominations of HARRY YEE and FAYE KENNEDY to the Civil Rights Commission, in accordance with Gov. Msg. No. 195.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1646 and Gov. Msg. No. 195 was deferred until Friday, April 11, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1647) recommending that the Senate advise and consent to the nominations of WILLIAM B.C. HEE and DONALD A. SEGAWA to the Commission on Transportation, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1647 and Gov. Msg. No. 225 was deferred until Friday, April 11, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1648) recommending that S.C.R. No. 128, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 128, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS," was adopted.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1649) recommending that S.R. No. 60, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE LICENSING OF MASSAGE SCHOOLS," was adopted.

Senators Levin and Metcalf, for the majority of the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1650) recommending that S.C.R. No. 108 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1651) recommending that S.R. No. 42 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 42, entitled: "SENATE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO PROHIBIT THE PARTICIPATION OF AMERICAN CORPORATIONS IN THE DEFORESTATION OF TROPICAL RAINFORESTS," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1652) recommending that S.R. No. 44, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 44, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN EVALUATION OF THE POSSIBLE HEALTH EFFECTS OF THE AERIAL SPRAYING OF HERBICIDES," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1653) recommending that S.C.R. No. 41 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO MANDATE THE U.S. FEDERAL RESERVE SYSTEM TO ADOPT A FULL EMPLOYMENT POLICY," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1654) recommending that S.C.R. No. 52 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH GUIDELINES FOR THE MED-QUEST PROGRAM," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1655) recommending that S.C.R. No. 155, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 155, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST AND MEDICAID PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1656) recommending that S.R. No. 80, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 80, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE AND RECONSIDER THE APPROPRIATENESS OF THE FORMULARY APPROVED FOR QUEST AND MEDICAID PATIENTS AND THE PROCESS OF AUTHORIZING THE USE OF NON-FORMULARY DRUGS," was adopted.

Senators Levin and Metcalf, jointly with Senators Iwase and Solomon, for the Committee on Health and Environment and the Committee on Water, Land, and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 1657) recommending that S.C.R. No. 13, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 13, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1658) recommending that the Senate advise and consent to the nominations of JULIE KUBO, Pharm.D., and JAMES T. MIYAHARA, Ph.D., to the Drug Product Selection Board, in accordance with Gov. Msg. No. 187.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1658 and Gov. Msg. No. 187 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1659) recommending that the Senate advise and consent to the nomination of ALLEN SOUZA to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 191.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1659 and Gov. Msg. No. 191 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1660) recommending that the Senate advise and consent to the nominations of CYNTHIA D. CHARLTON and ROGER CASTRO to the Environmental Council, in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1660 and Gov. Msg. No. 197 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1661) recommending that the Senate advise and consent to the nomination of WINTHROP SCOTT SCHAEFER, M.I.C.T., to the Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 211.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1661 and Gov. Msg. No. 211 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1662) recommending that the Senate advise and consent to the nominations of JAMES K. AHLOY and DAWN SUYENAGA to the Board of Trustees, Hawai'i Public Employees Health Fund, in accordance with Gov. Msg. No. 213.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1662 and Gov. Msg. No. 213 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1663) recommending that the Senate advise and consent to the nominations of HARVEY W. SMITH and JULIA O. ABBEN to the Board of Health, in accordance with Gov. Msg. No. 214.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1663 and Gov. Msg. No. 214 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1664) recommending that the Senate advise and consent to the nominations of LAWRENCE H. GORDON, M.D., and JEFFREY AKAKA, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 216.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1664 and Gov. Msg. No. 216 was deferred until Friday, April 11, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1665) recommending that the Senate advise and consent to the nomination of HAROLD HART to the Board of Certification of Operating Personnel in Water Treatment Plants, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1665 and Gov. Msg. No. 228 was deferred until Friday, April 11, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1666) recommending that S.C.R. No. 78, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 78, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF ALL PUBLIC SCHOOL PARKING SITUATIONS," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1667) recommending that S.R. No. 16, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF ALL PUBLIC SCHOOL PARKING SITUATIONS," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1668) recommending that S.C.R. No. 147, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1669) recommending that S.R. No. 74, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXPEDITION OF THE CALCULATION OF SICK LEAVE CREDIT FOR RETIRED TEACHERS AND THE PAYMENT OF THE ADJUSTED RETIREMENT COMPENSATION WITHIN NINETY DAYS OF RETIREMENT," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1670) recommending that S.C.R. No. 2, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO ASSIST THE LEGISLATURE IN ESTABLISHING AN APPROPRIATE SALARY STRUCTURE AND PAY INCREMENTS FOR LENGTH OF CONTINUOUS CREDITABLE JUDICIAL SERVICE TO THE STATE," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1671) recommending that S.C.R. No. 33, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF TOW TRUCK OPERATORS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1672) recommending that S.C.R. No. 125, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO SUPPORT THE PROCESS ESTABLISHED UNDER SECTION 6-81-19, HAWAII ADMINISTRATIVE RULES, AND THROUGH THIS PROCESS, TO CONSIDER FUNDING SOME PORTIONS OF ASK-2000 FOR THE 1997-1999 FISCAL BIENNIUM," was adopted.



Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1673) recommending that S.C.R. No. 171, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 171, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1674) recommending that S.C.R. No. 173, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 173, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW THE HAWAII STATE LIBRARY BOOK CONTRACT WITH BAKER AND TAYLOR," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1675) recommending that S.C.R. No. 182, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 182, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1676) recommending that S.C.R. No. 184 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A COMMISSION ON THE TWENTY-FIRST CENTURY," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1677) recommending that S.C.R. No. 233, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 233, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1678) recommending that S.R. No. 118, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 118, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF PROVIDER REIMBURSEMENT ASSIGNMENT PRACTICES OF HEALTH INSURERS, HEALTH/DENTAL PLANS, AND HEALTH MAINTENANCE ORGANIZATIONS ON DENTAL COSTS AND COMPETITION AMONG DENTAL CARE PROVIDERS," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1679) recommending that S.C.R. No. 244 be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 244, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1680) recommending that S.C.R. No. 248, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 248, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1681) recommending that S.R. No. 124, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 124, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF FUNDING OPTIONS FOR TOURISM MARKETING AND PROMOTION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1682) recommending that S.C.R. No. 249, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 249, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1683) recommending that S.R. No. 125, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 125, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SPORTS TOURISM," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1684) recommending that S.C.R. No. 270, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 270, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1685) recommending that S.C.R. No. 142, as amended in S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 142, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF HUMAN SERVICES," was adopted.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1686) recommending that S.R. No. 92, S.D. 1, be adopted.

On motion by Senator Ihara, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 92, S.D. 1, entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was adopted.

#### ORDER OF THE DAY

#### AGREE AND FINAL READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 4, 1997

S.B. No. 1556, H.D. 1:

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1556 and S.B. No. 1556, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Mr. President, there were just technical amendments made to this bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1556 and S.B. No. 1556, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1578, H.D. 1:

Senator Sakamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1578 and S.B. No. 1578, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Sakamoto then explained:

"This bill, as well, has technical, nonsubstantive changes, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1578 and S.B. No. 1578, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GLASS RECYCLING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### AGREE/DISAGREE

#### MATTERS DEFERRED FROM THURSDAY, APRIL 3, 1997

S.B. No. 26 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 26 and requested a conference on the subject matter thereof.

S.B. No. 165, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 165, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 382, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 382, S.D. 1, and requested a conference on the subject matter thereof.

#### MATTERS DEFERRED FROM FRIDAY, APRIL 4, 1997

S.B. No. 208, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 208, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 251, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 251, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 293, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 293, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 373 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 373 and requested a conference on the subject matter thereof.

S.B. No. 653, S.D. 2 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 653, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 938, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 938, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 941, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 941, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 989, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 989, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 991, S.D. 2 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 991, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1016 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1016 and requested a conference on the subject matter thereof.

S.B. No. 1018, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1064, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1064, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1069, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1069, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1242, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1242, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1267, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1267, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1385, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1385 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1421, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1421, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1554, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1554, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1571, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1571, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1588, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1588, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1636, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1636, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1766, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1766, S.D. 1 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1802, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1802, S.D. 2 (H.D. 1):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1919, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1919, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1943, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1943, S.D. 1 (H.D. 2):

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1433, H.D. 2, S.D. 3, and requested a conference on the subject matter thereof.

### THIRD READING

H.B. No. 1433, H.D. 2, S.D. 3:

On motion by Senator Fernandes Salling, seconded by Senator Solomon and carried, H.B. No. 1433, H.D. 2, S.D. 3, 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.

At 4:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:36 o'clock p.m.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, recently, there was a problem with a colleague -- and I don't want to mention any names -- but nothing happened. Had it been a minority, we would have brought it up on the floor. If it had been a majority member that got in trouble, we would have brought that up. What bothers me is that we have been receiving letters. I have not done anything; neither has anybody else. As far as I know, I've heard nothing. And I'd like to know that when we have people here at the Capitol, we insist on a particular type of decorum for everybody. We expected that from the Hawaiians. We expected it yesterday from the children when they came here. And I would hope that we write some type of policy or something within the Senate whereby we have to follow certain rules and regs and we know what's happening.

"So I do thank you for your time and if you would let me receive a letter, or the rest of us, as to what we're going to do, I'd appreciate that.

"Thank you very much, Mr. President."

**RECONSIDERATION OF ACTIONS TAKEN  
AND ADOPTION OF RESOLUTIONS**

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral to the Committee on Ways and Means be waived on the following Senate concurrent resolutions:

S.C.R. No. 9, S.D. 1;  
S.C.R. No. 16, S.D. 1;  
S.C.R. No. 55, S.D. 1;  
S.C.R. No. 164;  
S.C.R. No. 165;  
S.C.R. No. 166, S.D. 1;  
S.C.R. No. 194;  
S.C.R. No. 212;  
S.C.R. No. 223;  
S.C.R. No. 242;  
S.C.R. No. 251, S.D. 1;  
S.C.R. No. 274;  
S.C.R. No. 275; and  
S.C.R. No. 277, S.D. 1,

and the Chair granted the waiver.

S.C.R. No. 9, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 956, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 956 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 9, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING FULL INSURANCE COVERAGE FOR DIAGNOSTIC EXAMINATIONS FOR PROSTATE CANCER," was adopted.

S.C.R. No. 16, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1281, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1281 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 16, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE USE OF STATE LANDS FOR MILITARY RANGES," was adopted.

S.C.R. No. 55, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1109, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1109 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT TO DETERMINE THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE EQUAL TO COVERAGE FOR ALL OTHER MEDICAL ILLNESSES," was adopted.

S.C.R. No. 164:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1312, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1312 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 164, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was adopted.

S.C.R. No. 165:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1314, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1314 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 165, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF THE WAIPAHU CENTENNIAL CELEBRATION ADVISORY COMMISSION BY EXECUTIVE ORDER," was adopted.

S.C.R. No. 166, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1291, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1291 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE REPORT NO. 93-27, A REVIEW OF MANDATORY HEALTH INSURANCE COVERAGE FOR CONTRACEPTIVE SERVICES," was adopted.

S.C.R. No. 194:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1279, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1279 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 194, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE TAX INCREMENT FINANCING FOR INFRASTRUCTURE IMPROVEMENTS FOR NEW DEVELOPMENT," was adopted.

S.C.R. No. 212:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1285, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1285 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 212, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND KAMEHAMEHA SCHOOLS/BISHOP ESTATE TO ENTER INTO LAND EXCHANGE NEGOTIATIONS FOR CERTAIN LANDS ON THE ISLAND OF HAWAII," was adopted.

S.C.R. No. 223:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1322, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1322 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 223, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU ZONING COMMITTEE TO PROVIDE AN OPPORTUNITY FOR OPENING UP THE ROYAL KUNIA GOLF COURSE IN ORDER TO FOLLOW THROUGH WITH THE PLANNED COMMUNITY DEVELOPMENT," was adopted.

S.C.R. No. 242:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1324, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1324 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 242, entitled: "SENATE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT FEDERAL PROPOSALS TO REDIRECT REVENUES FROM THE FEDERAL MOTOR FUELS TAX INCREASES INTO THE HIGHWAY TRUST FUND," was adopted.

S.C.R. No. 251, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1349, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1349 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 251, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT EFFORTS IN THE UNITED STATES CONGRESS TO PROVIDE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS WHO HAVE BEEN DENIED PARTICIPATION IN THE FEDERAL SUPPLEMENTAL SECURITY INCOME PROGRAM AND TO RETURN THESE INDIVIDUALS TO THE PROGRAM, AND TO RESTORE ASSISTANCE TO LEGAL, NON-CITIZEN IMMIGRANTS FOR ALL NEED-BASED PROGRAMS," was adopted.

S.C.R. No. 274:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1343, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1343 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 274, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONTINUATION OF MENTAL HEALTH SERVICES FOR EAST HONOLULU," was adopted.

S.C.R. No. 275:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1354, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1354 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 275, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING OLELO TO PROVIDE A COMPREHENSIVE REVIEW ON OPTIMIZING ITS PUBLIC, EDUCATION, AND GOVERNMENT TELEVISION ACCESS," was adopted.

S.C.R. No. 277, S.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1387, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1387 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, S.C.R. No. 277, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION, THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, AND THE HAWAII SCHOOL OFFICE SERVICES ASSOCIATION DEVELOP A PLAN TO PROVIDE FUTURE CLERICAL STAFFING TO ALL SCHOOLS," was adopted.

#### ADJOURNMENT

At 4:41 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 11, 1997.

## FORTY-NINTH DAY

Friday, April 11, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:42 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Jim Roessler, Christ Lutheran Church of Mililani, after which the Roll was called showing all Senators present with the exception of Senator Fernandes Salling who was excused.

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

Senator Taniguchi, on behalf of President Mizuguchi, introduced James Morita, who, after a long and distinguished career in law and banking, retired from City Bank and CB Bankshares. Accompanying Mr. Morita was Wayne Miyao from City Bank.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 732 to 810) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 732, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 100, H.D. 1, and the request for a conference on the subject matter of said amendments, the Speaker on April 10, 1997, appointed Representatives Menor, Tom, Say, co-chairmen, Yamane, Whalen as managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 733, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 2, H.D. 2 (S.D. 1);  
H.B. No. 20, H.D. 1 (S.D. 2);  
H.B. No. 33, H.D. 2 (S.D. 2);  
H.B. No. 65, H.D. 1 (S.D. 1);  
H.B. No. 103, H.D. 2 (S.D. 1);  
H.B. No. 106, H.D. 1 (S.D. 1);  
H.B. No. 107, H.D. 1 (S.D. 1);  
H.B. No. 108, H.D. 2 (S.D. 1);  
H.B. No. 111, H.D. 1 (S.D. 1);  
H.B. No. 112, H.D. 2 (S.D. 1);  
H.B. No. 113, H.D. 1 (S.D. 1);  
H.B. No. 116, H.D. 2 (S.D. 2);  
H.B. No. 120, H.D. 1 (S.D. 1);  
H.B. No. 122, H.D. 1 (S.D. 2);  
H.B. No. 133, H.D. 2 (S.D. 1);  
H.B. No. 140, H.D. 2 (S.D. 2);  
H.B. No. 141 (S.D. 1);  
H.B. No. 143, H.D. 2 (S.D. 1);  
H.B. No. 145, H.D. 1 (S.D. 1); and  
H.B. No. 147, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 734, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 167, H.D. 2 (S.D. 1);  
H.B. No. 233 (S.D. 1);

H.B. No. 258 (S.D. 2);  
H.B. No. 293, H.D. 1 (S.D. 1);  
H.B. No. 350, H.D. 1 (S.D. 1);  
H.B. No. 351, H.D. 2 (S.D. 2);  
H.B. No. 371, H.D. 2 (S.D. 1);  
H.B. No. 417, H.D. 3 (S.D. 1);  
H.B. No. 432, H.D. 1 (S.D. 1);  
H.B. No. 472 (S.D. 1);  
H.B. No. 480, H.D. 2 (S.D. 1);  
H.B. No. 581, H.D. 1 (S.D. 1);  
H.B. No. 582, H.D. 1 (S.D. 1);  
H.B. No. 623 (S.D. 1);  
H.B. No. 631, H.D. 2 (S.D. 2);  
H.B. No. 636, H.D. 2 (S.D. 1);  
H.B. No. 646, H.D. 2 (S.D. 2);  
H.B. No. 675, H.D. 1 (S.D. 1);  
H.B. No. 728, H.D. 1 (S.D. 1); and  
H.B. No. 777, H.D. 1 (S.D. 2),

was placed on file.

Hse. Com. No. 735, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 780, H.D. 1 (S.D. 1);  
H.B. No. 793, H.D. 1 (S.D. 2);  
H.B. No. 872 (S.D. 1);  
H.B. No. 912, H.D. 1 (S.D. 1);  
H.B. No. 931, H.D. 2 (S.D. 1);  
H.B. No. 971 (S.D. 1);  
H.B. No. 979, H.D. 2 (S.D. 1);  
H.B. No. 1006, H.D. 1 (S.D. 2);  
H.B. No. 1012 (S.D. 1);  
H.B. No. 1023 (S.D. 1);  
H.B. No. 1031, H.D. 1 (S.D. 1);  
H.B. No. 1049, H.D. 1 (S.D. 1);  
H.B. No. 1086, H.D. 2 (S.D. 2);  
H.B. No. 1087, H.D. 1 (S.D. 2);  
H.B. No. 1105, H.D. 2 (S.D. 1);  
H.B. No. 1132, H.D. 1 (S.D. 1);  
H.B. No. 1138, H.D. 1 (S.D. 1);  
H.B. No. 1188, H.D. 1 (S.D. 1);  
H.B. No. 1196, H.D. 2 (S.D. 1); and  
H.B. No. 1243, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 736, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 1244, H.D. 2 (S.D. 1);  
H.B. No. 1247 (S.D. 1);  
H.B. No. 1250, H.D. 3 (S.D. 2);  
H.B. No. 1287, H.D. 1 (S.D. 2);  
H.B. No. 1292, H.D. 1 (S.D. 1);  
H.B. No. 1300, H.D. 1 (S.D. 1);  
H.B. No. 1309, H.D. 1 (S.D. 2);  
H.B. No. 1320 (S.D. 1);  
H.B. No. 1367 (S.D. 1);  
H.B. No. 1370, H.D. 2 (S.D. 1);  
H.B. No. 1385 (S.D. 1);  
H.B. No. 1388, H.D. 2 (S.D. 1);  
H.B. No. 1390, H.D. 1 (S.D. 2);  
H.B. No. 1393, H.D. 1 (S.D. 2);  
H.B. No. 1395 (S.D. 1);  
H.B. No. 1410, H.D. 1 (S.D. 1);  
H.B. No. 1451, H.D. 1 (S.D. 1);  
H.B. No. 1473 (S.D. 1);  
H.B. No. 1485, H.D. 2 (S.D. 2); and  
H.B. No. 1488, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 737, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1510 (S.D. 1);
- H.B. No. 1539 (S.D. 1);
- H.B. No. 1547, H.D. 2 (S.D. 1);
- H.B. No. 1575 (S.D. 1);
- H.B. No. 1582, H.D. 2 (S.D. 1);
- H.B. No. 1587, H.D. 1 (S.D. 2);
- H.B. No. 1591, H.D. 2 (S.D. 1);
- H.B. No. 1593 (S.D. 1);
- H.B. No. 1604, H.D. 1 (S.D. 1);
- H.B. No. 1610, H.D. 2 (S.D. 1);
- H.B. No. 1613 (S.D. 1);
- H.B. No. 1618, H.D. 1 (S.D. 2);
- H.B. No. 1619, H.D. 2 (S.D. 1);
- H.B. No. 1624, H.D. 1 (S.D. 2);
- H.B. No. 1625, H.D. 1 (S.D. 2);
- H.B. No. 1638, H.D. 2 (S.D. 1);
- H.B. No. 1639, H.D. 2 (S.D. 1);
- H.B. No. 1640, H.D. 1 (S.D. 1);
- H.B. No. 1641 (S.D. 1);
- H.B. No. 1645, H.D. 1 (S.D. 2); and
- H.B. No. 1646 (S.D. 1),

was placed on file.

Hse. Com. No. 738, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1648 (S.D. 1);
- H.B. No. 1650, H.D. 1 (S.D. 1);
- H.B. No. 1654, H.D. 1 (S.D. 2);
- H.B. No. 1655, H.D. 1 (S.D. 1);
- H.B. No. 1656, H.D. 1 (S.D. 2);
- H.B. No. 1657, H.D. 1 (S.D. 1);
- H.B. No. 1660, H.D. 2 (S.D. 1);
- H.B. No. 1664, H.D. 1 (S.D. 2);
- H.B. No. 1675, H.D. 2 (S.D. 1);
- H.B. No. 1686, H.D. 1 (S.D. 2);
- H.B. No. 1688, H.D. 1 (S.D. 2);
- H.B. No. 1689, H.D. 1 (S.D. 2);
- H.B. No. 1690, H.D. 1 (S.D. 1);
- H.B. No. 1694 (S.D. 2);
- H.B. No. 1695, H.D. 2 (S.D. 1);
- H.B. No. 1701, H.D. 2 (S.D. 2);
- H.B. No. 1706, H.D. 2 (S.D. 2);
- H.B. No. 1713, H.D. 1 (S.D. 1);
- H.B. No. 1714, H.D. 2 (S.D. 1); and
- H.B. No. 1715, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 739, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1716, H.D. 1 (S.D. 1);
- H.B. No. 1721, H.D. 2 (S.D. 2);
- H.B. No. 1724, H.D. 1 (S.D. 1);
- H.B. No. 1731, H.D. 1 (S.D. 2);
- H.B. No. 1732, H.D. 2 (S.D. 1);
- H.B. No. 1738, H.D. 1 (S.D. 1);
- H.B. No. 1745, H.D. 2 (S.D. 2);
- H.B. No. 1770 (S.D. 1);
- H.B. No. 1771 (S.D. 1);
- H.B. No. 1772 (S.D. 1);
- H.B. No. 1773 (S.D. 1);
- H.B. No. 1774 (S.D. 1);
- H.B. No. 1775 (S.D. 1);
- H.B. No. 1776 (S.D. 1);
- H.B. No. 1777 (S.D. 1);

- H.B. No. 1778, H.D. 1 (S.D. 1);
- H.B. No. 1779 (S.D. 1);
- H.B. No. 1780 (S.D. 1);
- H.B. No. 1781 (S.D. 1); and
- H.B. No. 1782 (S.D. 1),

was placed on file.

Hse. Com. No. 740, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1783 (S.D. 1);
- H.B. No. 1784 (S.D. 1);
- H.B. No. 1785 (S.D. 1);
- H.B. No. 1786 (S.D. 1);
- H.B. No. 1787 (S.D. 1);
- H.B. No. 1788 (S.D. 1);
- H.B. No. 1789 (S.D. 1);
- H.B. No. 1790 (S.D. 1);
- H.B. No. 1791 (S.D. 1);
- H.B. No. 1792 (S.D. 1);
- H.B. No. 1793 (S.D. 1);
- H.B. No. 1796, H.D. 1 (S.D. 1);
- H.B. No. 1797, H.D. 1 (S.D. 2);
- H.B. No. 1798 (S.D. 1);
- H.B. No. 1799, H.D. 1 (S.D. 1);
- H.B. No. 1804, H.D. 1 (S.D. 1);
- H.B. No. 1805, H.D. 2 (S.D. 1);
- H.B. No. 1806, H.D. 1 (S.D. 1);
- H.B. No. 1814, H.D. 1 (S.D. 1); and
- H.B. No. 1818, H.D. 2 (S.D. 2),

was placed on file.

Hse. Com. No. 741, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1819, H.D. 1 (S.D. 1);
- H.B. No. 1829, H.D. 3 (S.D. 2);
- H.B. No. 1831, H.D. 1 (S.D. 2);
- H.B. No. 1833 (S.D. 2);
- H.B. No. 1836, H.D. 2 (S.D. 1);
- H.B. No. 1837, H.D. 2 (S.D. 2);
- H.B. No. 1838, H.D. 2 (S.D. 1);
- H.B. No. 1840, H.D. 1 (S.D. 1);
- H.B. No. 1841, H.D. 3 (S.D. 2);
- H.B. No. 1842, H.D. 2 (S.D. 1);
- H.B. No. 1843, H.D. 2 (S.D. 2);
- H.B. No. 1854, H.D. 1 (S.D. 1);
- H.B. No. 1857, H.D. 1 (S.D. 1);
- H.B. No. 1858 (S.D. 1);
- H.B. No. 1860, H.D. 3 (S.D. 1);
- H.B. No. 1863, H.D. 2 (S.D. 1);
- H.B. No. 1899, H.D. 1 (S.D. 1);
- H.B. No. 1900, H.D. 1 (S.D. 1);
- H.B. No. 1904, H.D. 3 (S.D. 1); and
- H.B. No. 1965, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 742, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

- H.B. No. 1984 (S.D. 2);
- H.B. No. 2019, H.D. 1 (S.D. 2);
- H.B. No. 2032, H.D. 2 (S.D. 2);
- H.B. No. 2060, H.D. 1 (S.D. 1);
- H.B. No. 2202, H.D. 2 (S.D. 1);
- H.B. No. 2207, H.D. 2 (S.D. 1);
- H.B. No. 2234, H.D. 1 (S.D. 1);
- H.B. No. 2305 (S.D. 1); and
- H.B. No. 2308, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 743, transmitting H.C.R. No. 3, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 3, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM AND THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY OF THE IMPACT OF THE ACTIVITIES OF THE UNIVERSITY OF HAWAII ON THE ECONOMIC DEVELOPMENT OF THE STATE OF HAWAII," was referred jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 744, transmitting H.C.R. No. 6, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INCLUDE AN AGRICULTURAL INSPECTION FACILITY IN THE DESIGN OF THE CARGO FACILITIES AT ALL AIRPORTS," 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. 745, transmitting H.C.R. No. 9, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 9, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REVIEW, REASSESS, AND STRENGTHEN THE VOCATIONAL AND TECHNICAL TRAINING PROGRAMS OF THE COMMUNITY COLLEGE SYSTEM," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 746, transmitting H.C.R. No. 11, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION REQUIRING OUT-OF-STATE MAIL ORDER SELLERS TO COLLECT AND SUBMIT USE TAXES ON GOODS DELIVERED IN THOSE STATES THAT IMPOSE THEM," was referred to the Committee on Judiciary.

Hse. Com. No. 747, transmitting H.C.R. No. 16, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ADVANCED CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE CONTRACT," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 748, transmitting H.C.R. No. 18, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 18, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING

THE COSTS OF MENTAL HEALTH SERVICES IN HAWAII AND THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE IN HEALTH CARE INSURANCE PLANS EQUIVALENT TO THE COVERAGE FOR ANY OTHER MEDICAL ILLNESSES," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 749, transmitting H.C.R. No. 19, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 19, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred jointly to the Committee on Health and Environment and the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 750, transmitting H.C.R. No. 27, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 27, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF YOUTH SERVICES TO DEVELOP A PROGRAM THAT PAIRS COLLEGE STUDENTS WITH DELINQUENT YOUTHS TO TRACK THEIR PROGRESS AND SERVE AS MENTORS AND ROLE MODELS," 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. 751, transmitting H.C.R. No. 34, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 34, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 752, transmitting H.C.R. No. 39, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 39, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO APPOINT A TASK FORCE TO ASSESS AIR QUALITY AT CAMPBELL INDUSTRIAL PARK AND THE AIR QUALITY IMPACTS OF EMISSION SOURCES IN THIS LOCATION," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 753, transmitting H.C.R. No. 40, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH LOCAL INDUSTRIES, THE HAWAII VISITORS AND CONVENTION BUREAU, THE DEPARTMENT OF AGRICULTURE AND OTHER APPROPRIATE AGENCIES TO SHOWCASE HAWAII-MADE PRODUCTS," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.



Hse. Com. No. 754, transmitting H.C.R. No. 41, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 41, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AUDIT OF SMALL BOAT HARBORS IN THE COUNTIES OF MAUI, HAWAII, AND OAHU PARTICULARLY THOSE OF LAHAINA, HONOKOHAU AND ALA WAI," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 755, transmitting H.C.R. No. 49, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF OCCUPATIONAL THERAPY," was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 756, transmitting H.C.R. No. 52, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 52, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLACE THE MULTIPURPOSE SPORTS AND RECREATION COMPLEX ON THE UNIVERSITY OF HAWAII-HILO CAMPUS ON ITS LIST OF PRIORITIES FOR CAPITAL IMPROVEMENT PROJECTS," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 757, transmitting H.C.R. No. 65, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 65, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PUBLIC FINANCING OF STATE ELECTIONS," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 758, transmitting H.C.R. No. 66, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 66, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC LIBRARY SYSTEM," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 759, transmitting H.C.R. No. 70, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 70, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-TERM STRATEGIC PLAN OF ACTION FOR THE STATE'S TRAVEL AND TOURISM INDUSTRY," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 760, transmitting H.C.R. No. 71, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF METHODS OF PROVIDING TAX INCENTIVES TO BUSINESSES FOR SUPPORTING THE EMPLOYMENT OF HAWAII WORKERS," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 761, transmitting H.C.R. No. 72, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A COMPREHENSIVE RURAL TRANSITION PLAN THAT PROMOTES NEW AND DIVERSIFIED AGRICULTURE AND INCREASES RURAL EMPLOYMENT AND DEVELOPMENT IN THE STATE," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 762, transmitting H.C.R. No. 76, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 76, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING IMPLEMENTATION OF EXPEDITED AUTOMATIC BORDER CLEARANCE; EXTENSION OF THE VISA WAIVER PROGRAM; AND ELIMINATION OF VISA REQUIREMENTS WHERE POSSIBLE," was referred to the Committee on Economic Development.

Hse. Com. No. 763, transmitting H.C.R. No. 78, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 78, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF AN INTERNATIONAL TECHNO-TOURISM POLICY," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 764, transmitting H.C.R. No. 93, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 93, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VALUES AND ETHICS PROGRAM AS DETERMINED BY EACH SCHOOL COMMUNITY," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 765, transmitting H.C.R. No. 95, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 95, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 766, transmitting H.C.R. No. 105, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 105, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING

THE AUDITOR TO CONDUCT AN AUDIT OF THE EMPLOYMENT AND TRAINING FUND," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 767, transmitting H.C.R. No. 107, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 107, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 768, transmitting H.C.R. No. 119, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 119, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO SUPPORT SENATOR JOHN McCAIN'S FEDERAL LEGISLATION TO PROVIDE FOR THE MANAGEMENT OF THE AIRSPACE OVER UNITS OF THE NATIONAL PARK SYSTEM," was referred to the Committee on Transportation and Intergovernmental Affairs.

Hse. Com. No. 769, transmitting H.C.R. No. 125, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 125, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AND MAINTAIN CHILD AND ADOLESCENT MENTAL HEALTH SERVICES THAT ARE ACCESSIBLE, COMMUNITY-BASED, AND SENSITIVE TO THE NEEDS AND SOCIO-ECONOMIC PROFILE OF HAWAII'S COMMUNITIES," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 770, transmitting H.C.R. No. 129, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HISTORIC HOMEOWNERSHIP TAX CREDIT," was referred to the Committee on Ways and Means.

Hse. Com. No. 771, transmitting H.C.R. No. 144, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN EVALUATION OF THE NEED TO CONTINUE UPDATES OF THE STATE FUNCTIONAL PLANS," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 772, transmitting H.C.R. No. 145, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 145, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE HAWAII HEALTH QUEST PROGRAM AND TO MAKE RECOMMENDATIONS TO IMMEDIATELY REDUCE THE PROGRAM'S INCREASING COSTS OR TO STABILIZE THEM, OR BOTH, WITHOUT AN INCREASE IN

FUNDING," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 773, transmitting H.C.R. No. 147, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 774, transmitting H.C.R. No. 153, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 153, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT AN AUDIT OF THE REVENUES, COSTS, AND SERVICES OF ALL STATE-RUN SMALL BOAT HARBORS AND BOAT RAMPS," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 775, transmitting H.C.R. No. 164, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 164, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LAW ENFORCEMENT COALITION TO STUDY WAYS TO SIMPLIFY PROOF OF PRIOR CRIMINAL CONVICTIONS," was referred to the Committee on Judiciary.

Hse. Com. No. 776, transmitting H.C.R. No. 165, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE," was referred to the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 777, transmitting H.C.R. No. 166, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING SHIP OPERATIONS AT THE UNIVERSITY OF HAWAII," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 778, transmitting H.C.R. No. 168, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 168, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE QUESTION OF ADDING CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS TO CLASS A OF THE EMPLOYEES' RETIREMENT SYSTEM," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 779, transmitting H.C.R. No. 174, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION AND THE PRESIDENT OF THE UNITED STATES TO ISSUE AN EXECUTIVE ORDER TO ASSIST AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," was referred jointly to the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources.

Hse. Com. No. 780, transmitting H.C.R. No. 178, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 781, transmitting H.C.R. No. 186, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 782, transmitting H.C.R. No. 196, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 196, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO DEVELOP A MASTER PLAN TO PROTECT MAUNALUA BAY," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 783, transmitting H.C.R. No. 208, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 208, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ADVISE THE LEGISLATURE ON THE STATUS OF THE HAWAII STATE PLAN AND THE VIABILITY OF INCORPORATING THE KE ALA HOKU PROCESS IN A COHESIVE STATE FUNCTIONAL AND FINANCIAL PLAN," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 784, transmitting H.C.R. No. 206, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 206, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE

WAIMANALO HOMES PROJECT TO REMAIN LIVING THERE," was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 785, transmitting H.C.R. No. 210, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAË DISTRICT FLOODING," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 786, transmitting H.C.R. No. 211, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 211, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT A COMPREHENSIVE REVIEW OF THE SCOPE, IMPLEMENTATION, EFFICIENCY, AND EFFECTIVENESS OF TITLE 7, HAWAII REVISED STATUTES, AND TO SEEK CONSENSUS ON NECESSARY OR APPROPRIATE CHANGES," was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

Hse. Com. No. 787, transmitting H.C.R. No. 215, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 215, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON LAND USE PLANNING," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 788, transmitting H.C.R. No. 226, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUBMIT A REPORT SETTING FORTH RECOMMENDATIONS TO REFORM STATE GOVERNMENT," was referred to the Committee on Government Operations and Housing, then to the Committee on Ways and Means.

Hse. Com. No. 789, transmitting H.C.R. No. 227, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ENTER INTO A TURN-KEY AGREEMENT FOR THE DESIGN AND CONSTRUCTION OF A NEW FACILITY FOR THE MAUI COMMUNITY COLLEGE-MOLOKAI EDUCATION CENTER IN KAUNAKAKAI, MOLOKAI," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 790, transmitting H.C.R. No. 235, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 235, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE IDENTIFICATION CARDS AND/OR OTHER FORMS OF

IDENTIFICATION TO THOSE WHO HAVE COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 791, transmitting H.C.R. No. 241, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 792, transmitting H.C.R. No. 248, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 248, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO REPORT ON H.B. NO. 567 AND S.B. NO. 1077 RELATING TO REAL PROPERTY LEASES," was referred jointly to the Committee on Water, Land, and Hawaiian Affairs and the Committee on Commerce, Consumer Protection, and Information Technology, then to the Committee on Ways and Means.

Hse. Com. No. 793, transmitting H.C.R. No. 249, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO ADOPT A LOCAL PURCHASE REQUIREMENT FOR THE PURCHASE OF CIGARETTES BY MILITARY AND COAST GUARD FACILITIES IN ALASKA AND HAWAII," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 794, transmitting H.C.R. No. 250, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 250, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EVALUATE THE BIG ISLAND PILOT PROJECT ON MENTAL HEALTH SERVICES," was referred to the Committee on Health and Environment, then to the Committee on Ways and Means.

Hse. Com. No. 795, transmitting H.C.R. No. 251, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 251, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 796, transmitting H.C.R. No. 252, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 252, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RECRUITMENT OF THE 'AMERICA'S

SMITHSONIAN' EXHIBITION TO HAWAII," was referred to the Committee on Economic Development.

Hse. Com. No. 797, transmitting H.C.R. No. 256, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 256, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE ECONOMIC AND SOCIAL IMPACT OF PARI-MUTUEL HORSE RACING, SHIPBOARD CASINOS, AND HOTEL/CASINO GAMBLING IN HILO," was referred jointly to the Committee on Economic Development and the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 798, transmitting H.C.R. No. 257, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 257, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH OTHER AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE FUTURE OPTIONS FOR THE COMMUNITY," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 799, transmitting H.C.R. No. 259, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 259, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COUNCIL," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 800, transmitting H.C.R. No. 262, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 262, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A CHECKLIST OF SKILLS, KNOWLEDGE, ATTITUDES, AND BEHAVIORS THAT CHILDREN SHOULD HAVE UPON ENTERING KINDERGARTEN," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 801, transmitting H.C.R. No. 264, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 264, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HOSTING OF A PACIFIC CONFERENCE ON MARINE SCIENCE AND TECHNOLOGY IN HAWAII," was referred to the Committee on Education, then to the Committee on Economic Development.

Hse. Com. No. 802, transmitting H.C.R. No. 265, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 265, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF WAYS FOR THE UNIVERSITY OF HAWAII TO COORDINATE ITS EFFORTS TO PROMOTE AGRICULTURE," was referred jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 803, transmitting H.C.R. No. 271, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 271, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE OPERATIONS OF THE AGRIBUSINESS DEVELOPMENT CORPORATION," was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 804, transmitting H.C.R. No. 274, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO UPDATE ITS SURVEY OF GOVERNMENT PROGRAMS IN THE STATE THAT ARE MANDATED BY THE FEDERAL GOVERNMENT," was referred to the Committee on Ways and Means.

Hse. Com. No. 805, transmitting H.C.R. No. 276, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 276, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO FACILITATE DISCUSSIONS BETWEEN ALL AFFECTED PARTIES AND SEEK CONSENSUS ON APPROPRIATE STATE REGULATION OF RIGHTS REAFFIRMED UNDER ARTICLE XII, SECTION 7, OF THE HAWAII STATE CONSTITUTION," was referred to the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 806, transmitting H.C.R. No. 278, H.D. 2, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 278, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 807, transmitting H.C.R. No. 279, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT CARDIOPULMONARY RESUSCITATION TRAINING PROGRAM ON KAUAI," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 808, transmitting H.C.R. No. 280, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE THE INCLUSION OF DISASTER

MITIGATION MEASURES IN THE PLANNING, DESIGN, AND CONSTRUCTION PHASES OF ALL STATE-FUNDED BUILDINGS DESIGNATED AS HURRICANE SHELTERS," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

Hse. Com. No. 809, transmitting H.C.R. No. 281, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-RANGE FINANCIAL AND OPERATIONAL PLAN TO ENSURE THE DEVELOPMENT OF THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was referred to the Committee on Education, then to the Committee on Ways and Means.

Hse. Com. No. 810, transmitting H.C.R. No. 286, H.D. 1, which was adopted by the House of Representatives on April 10, 1997, was placed on file.

By unanimous consent, H.C.R. No. 286, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO THE MAUKA HIGHWAY AS AN ALTERNATIVE HIGHWAY TO FARRINGTON HIGHWAY ON THE LEEWARD COAST," was referred to the Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means.

#### STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1687) recommending that the Senate advise and consent to the nomination of MICHAEL S. HOWDEN to the Board of Acupuncture, in accordance with Gov. Msg. No. 209.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1687 and Gov. Msg. No. 209 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1688) recommending that the Senate advise and consent to the nominations of IVAN I. NAKANO and ERNIE K. SEIBOLD to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 217.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1688 and Gov. Msg. No. 217 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1689) recommending that the Senate advise and consent to the nomination of MELVIN H. MIYASAKI to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 218.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1689 and Gov. Msg. No. 218 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1690) recommending that the Senate advise and consent to the nomination of JUNE M. HIRAKI, R.N., to the State Board of Nursing, in accordance with Gov. Msg. No. 219.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1690 and Gov. Msg. No. 219 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1691) recommending that the Senate advise and consent to the nominations of CYNTHIA M. TAMAYO, P.T., NAOMI K. WADA, P.T., and RANDAL HASHIMOTO to the Board of Physical Therapy, in accordance with Gov. Msg. No. 220.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1691 and Gov. Msg. No. 220 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1692) recommending that the Senate advise and consent to the nomination of MITCHELL A. IMANAKA to the Real Estate Commission, in accordance with Gov. Msg. No. 222.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1692 and Gov. Msg. No. 222 was deferred until Monday, April 14, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1693) recommending that the Senate advise and consent to the nominations of AIMEE ANDERSON, NARIYOSHI HIRAOKA and CRAIG M. NISHIMOTO, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 227.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1693 and Gov. Msg. No. 227 was deferred until Monday, April 14, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1694) recommending that the Senate advise and consent to the nomination of LANI LIU EWART to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 226.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1694 and Gov. Msg. No. 226 was deferred until Monday, April 14, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1695) recommending that the Senate advise and consent to the nominations of PAMELA FERGUSON-BREY and HA'AHEO MANSFIELD to the State Commission on the Status of Women, in accordance with Gov. Msg. No. 229.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1695 and Gov. Msg. No. 229 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1696) recommending that the Senate advise and consent to the nominations of the following:

MICHAEL KEN KAWAHARADA to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 190; and

JAMES K. TSUGAWA to the Hawai'i Community Development Authority, in accordance with Gov. Msg. No. 262.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1696 and Gov. Msg. Nos. 190 and 262 were deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1697) recommending that the Senate advise and consent to the nominations of LLOYD F. KAWAKAMI and IRIS R. OKAWA to the Board of Directors, Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 193.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1697 and Gov. Msg. No. 193 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1698) recommending that the Senate advise and consent to the nominations of P. ROY CATALANI, ISAAC FIESTA, JR., and PETER YUKIMURA to the Land Use Commission, in accordance with Gov. Msg. No. 198.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1698 and Gov. Msg. No. 198 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1699) recommending that the Senate advise and consent to the nominations of RICHARD NELSON III, HERRING K. KALUA and THOMAS P. CONTRADES to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 244.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1699 and Gov. Msg. No. 244 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1700) recommending that the Senate advise and consent to the nominations of RALPH P. DEDMAN, A. FRENCHY DESOTO and NOA EMMETT AUWAE ALULI, M.D., to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 245.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1700 and Gov. Msg. No. 245 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1701) recommending that the Senate advise and consent to the nominations of KATHRYN WHANG INOUYE and WILLIAM KENNISON to the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 246.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1701 and Gov. Msg. No. 246 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1702) recommending that the Senate advise and consent to the nominations of MARIE J. SOLOMON and GERALDINE K. BELL to the Island Burial Council, Island of Hawai'i, in accordance with Gov. Msg. No. 264.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1702 and Gov. Msg. No. 264 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1703) recommending that the Senate advise and

consent to the nomination of ALTHEA K.L. ARINAGA to the Island Burial Council, Islands of Kauai and Niihau, in accordance with Gov. Msg. No. 265.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1703 and Gov. Msg. No. 265 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1704) recommending that the Senate advise and consent to the nominations of CLIFFORD J. NAE'OLE, ANTHONY H. AKANA, MICHAEL P. MINN and ROBERT AIWOHI to the Island Burial Council, Islands of Maui and Lanai, in accordance with Gov. Msg. No. 266.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1704 and Gov. Msg. No. 266 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1705) recommending that the Senate advise and consent to the nominations of MYRLE P. FLOREA, RONALD KIMBALL and ANNA D. GOODHUE to the Island Burial Council, Island of Molokai, in accordance with Gov. Msg. No. 267.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1705 and Gov. Msg. No. 267 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1706) recommending that the Senate advise and consent to the nominations of KALANI KAPU, LAURA KALUA MANUEL and R. ERIC BEAVER to the Island Burial Council, Island of Oahu, in accordance with Gov. Msg. No. 268.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1706 and Gov. Msg. No. 268 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1707) recommending that the Senate advise and consent to the nomination of THOMAS DECOURCY to the Molokai Irrigation System Water Users Advisory Board, in accordance with Gov. Msg. No. 271.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1707 and Gov. Msg. No. 271 was deferred until Monday, April 14, 1997.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1708) recommending that the Senate advise and consent to the nominations of ROBERT G. GIRALD and DAVID A. NOBRIGA to the Commission on Water Resource Management, in accordance with Gov. Msg. No. 276.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1708 and Gov. Msg. No. 276 was deferred until Monday, April 14, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1709) recommending that the Senate advise and consent to the nomination of GALEN K. ONOUYE to the Education Commission of the States, in accordance with Gov. Msg. No. 208.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1709 and Gov. Msg. No. 208 was deferred until Monday, April 14, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1710) recommending that the Senate advise and consent to the nominations of LOIS C. MIYASHIRO and CHRIST P. ZIVALICH, JR., to the State Post-Secondary Education Commission, in accordance with Gov. Msg. No. 221.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1710 and Gov. Msg. No. 221 was deferred until Monday, April 14, 1997.

## ORDER OF THE DAY

### AGREE/DISAGREE

#### MATTERS DEFERRED FROM TUESDAY, APRIL 8, 1997

S.B. No. 58, S.D. 1 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 58, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 130, S.D. 1 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 130, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 262, S.D. 1 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 262, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 377, S.D. 2 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 377, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 426, S.D. 1 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 426, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 497 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 497 and requested a conference on the subject matter thereof.

S.B. No. 817, S.D. 1 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 817, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 927, S.D. 1 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 927, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1293, S.D. 1 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1293, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1486 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1486 and requested a conference on the subject matter thereof.

S.B. No. 1506, S.D. 1 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1506, S.D. 1, and requested a conference on the subject matter thereof.

S.B. No. 1589, S.D. 2 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1589, S.D. 2, and requested a conference on the subject matter thereof.

S.B. No. 1621 (H.D. 1):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1621 and requested a conference on the subject matter thereof.

S.B. No. 1631, S.D. 2 (H.D. 2):

On motion by Senator McCartney, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1631, S.D. 2, and requested a conference on the subject matter thereof.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1645 (Gov. Msg. Nos. 184 and 186):

Senator Chumbley moved that Stand. Com. Rep. No. 1645 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of the following:

WILLIAM T. EMMSLEY, JR., and HARLOW M.S.L. URABE to the Correctional Industries Advisory Committee, terms to expire June 30, 1999 (Gov. Msg. No. 184);

C.E. RAGS SCANLAN and JOHN (JACK) F. SULLIVAN, JR., to the Correctional Industries Advisory Committee, terms to expire June 30, 2000 (Gov. Msg. No. 184);

KAREN H. IWAMOTO and HELEN Y. RAUER to the Correctional Industries Advisory Committee, terms to expire June 30, 2001 (Gov. Msg. No. 184); and

LES S. IHARA to the Criminal Injuries Compensation Commission, term to expire June 30, 2001 (Gov. Msg. No. 186),

seconded by Senator Matsunaga.

Senator Ihara rose on a conflict ruling as follows:

"Mr. President, the nominee on Gov. Msg. No. 186 is a close relative of mine whose name I happen to have borrowed, although he's certainly the original. And while the nominee has taught me independence, objectivity and integrity, I hereby

would like to request a ruling on my right to vote on this nominee."

The Chair ruled that Senator Ihara was not in conflict.

Senator Solomon rose and stated:

"Mr. President, I'd like your permission to insert remarks into the Journal in support of Gov. Msg. No. 184, William T. Emmsley, Jr. and C.E. Rags Scanlan to the Correctional Industries Advisory Committee. Thank you."

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

"William T. Emmsley, Jr., holds a B.A. degree in Political Science from the University of Hawaii and is currently pursuing a M.A. degree in Political Science and Public Administration from the University of Hawaii. He is currently the executive director of the Samoan Service Providers Association. He is also a current member of the Correctional Industries Advisory Committee and an active member in other community and professional organizations. Testimony in support of the nominee was submitted by the Department of Public Safety.

"C.E. Rags Scanlan is a graduate of Chaminade University, and is president and chief executive officer of Royal Guard Security, Inc. Mr. Scanlan is a current member of the Correctional Industries Advisory Committee and has been a member of community as well as professional organizations. Testimony in support of the nominee was submitted by the Department of Public Safety."

Senator McCartney rose and said:

"Mr. President, I would like to insert remarks into the Journal on behalf of the nominee listed under Gov. Msg. No. 186."

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

"It is my pleasure to insert these remarks into the Senate Journal on behalf of Les Ihara, Sr., the governor's nominee to the Criminal Injuries Compensation Commission. Throughout his life he has been dedicated to public service on the community, state and national levels. As a retired Army Colonel, he will bring a wealth of knowledge to the Commission, and I wholeheartedly endorse his nomination."

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1646 (Gov. Msg. No. 195):

Senator Chumbley moved that Stand. Com. Rep. No. 1646 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of HARRY YEE and FAYE KENNEDY to the Civil Rights Commission, terms to expire June 30, 2001, seconded by Senator Matsunaga.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1647 (Gov. Msg. No. 225):



Senator Kawamoto moved that Stand. Com. Rep. No. 1647 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of WILLIAM B.C. HEE and DONALD A. SEGAWA to the Commission on Transportation, terms to expire June 30, 2001, seconded by Senator Sakamoto.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1658 (Gov. Msg. No. 187):

Senator Levin moved that Stand. Com. Rep. No. 1658 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of JULIE KUBO, Pharm.D., and JAMES T. MIYAHARA, Ph.D., to the Drug Product Selection Board, terms to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1659 (Gov. Msg. No. 191):

Senator Levin moved that Stand. Com. Rep. No. 1659 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of ALLEN SOUZA to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1660 (Gov. Msg. No. 197):

Senator Levin moved that Stand. Com. Rep. No. 1660 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations to the Environmental Council of the following:

CYNTHIA D. CHARLTON, term to expire June 30, 1998; and

ROGER CASTRO, term to expire June 30, 1999,

seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1661 (Gov. Msg. No. 211):

Senator Levin moved that Stand. Com. Rep. No. 1661 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of WINTHROP SCOTT SCHAEFER, M.I.C.T., to the Emergency Medical Services Advisory Committee, term to expire June 30, 2000, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1662 (Gov. Msg. No. 213):

Senator Levin moved that Stand. Com. Rep. No. 1662 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of JAMES K. AHLOY and DAWN SUYENAGA to the Board of Trustees, Hawai'i Public Employees Health Fund, terms to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1663 (Gov. Msg. No. 214):

Senator Levin moved that Stand. Com. Rep. No. 1663 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of HARVEY W. SMITH and JULIA O. ABBEN to the Board of Health, terms to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1664 (Gov. Msg. No. 216):

Senator Levin moved that Stand. Com. Rep. No. 1664 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations to the Medical Advisory Board of the following:

LAWRENCE H. GORDON, M.D., term to expire June 30, 2000; and

JEFFREY AKAKA, M.D., term to expire June 30, 2001,

seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Stand. Com. Rep. No. 1665 (Gov. Msg. No. 228):

Senator Levin moved that Stand. Com. Rep. No. 1665 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of HAROLD HART to the Board of Certification of Operating Personnel in Water Treatment Plants, term to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

**MATTER DEFERRED FROM  
THURSDAY, APRIL 3, 1997**

**THIRD READING**

H.B. No. 2239, H.D. 2:

On motion by Senator Baker, seconded by Senator D. Ige and carried, H.B. No. 2239, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO UTILITY LINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

Senator Sakamoto rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"I'm extremely concerned that the House and Senate conferees have not yet come to an agreement on H.B. No. 117. And I know that many in Hawaii are likewise anxious. Our constituents are not asking us to decide this issue. They want and expect this body to give them a clean, clear, valid question that they can vote on.

"I am a member of this body today because my constituents or the constituents in my district were very disappointed at the actions, or inactions, of this body last year. During this election many of you expressed support for traditional marriage to your constituents. Now is the time to show that support. It is now the time to meet our commitment to those who elected us. The public does not perceive this to be a difficult issue. It is not a difficult task. It would not take five minutes on the street to find someone capable of writing a ballot question. Yet, this auspicious body, after more than four years of due diligence, cannot formulate acceptable language to allow the public to vote.

"Mr. President, fellow colleagues, the people of Hawaii have spoken. Their message is clear, and they will express their will by vote in the ballot booth next election. If a clean and clear choice on marriage is not on the ballot, they will express their disappointment and anger by vote. This is called government for the people, by the people, of the people.

"Is there anyone here who does not want to resolve this issue? I think not. Do we truly lack the capability? I think not. We can and need to act now, Mr. President.

"Thank you."

Senator Solomon then said:

"Mr. President, I would like to stand in support of the remarks made by the previous speaker and I would like his words to be incorporated into the Journal as though they were my own.

"Thank you, Mr. President."

Senator Iwase rose and said:

"Mr. President, I would like the words of the Senator from Moanalua to be incorporated also. Thank you."

Senator M. Ige added:

"Mr. President, myself as well, please."

Senator Aki remarked:

"Mr. President, likewise for me."

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 228, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 228, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 228, S.D. 1, seconded by Senator D. Ige.

Senator Baker then noted:

"Mr. President, I would note for all of my colleagues that we placed on your desks a list of the bills for agreement, the subject matter therefore, and the reason for agreeing. Most of the differences are either technical non-substantive or clarifying amendments made by the House. The subject matter co-chairs have reviewed each amendment, and they are acceptable. Additionally, all bills have been legal checked.

"Thank you."

Senator Solomon then rose and said:

"Mr. President, I just would like to pose one question, if I may, to the chair."

The Chair posed the question, and Senator Baker having answered in the affirmative, Senator Solomon inquired:

"I'd like to thank the chairmen very much for the information that they did present to us. But for the record, are these just mostly technical kinds of changes or are they substantive? I haven't had the opportunity to really look through every single bill that has been mentioned."

Senator Baker responded:

"Senator, they are in fact primarily technical nonsubstantive changes. There are a couple that were clarifying amendments, but it's a minor kind of word change that does not change the intent of the version passed by the Senate."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 228, S.D. 1, and S.B. No. 228, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF CHIROPRACTIC," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1115, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1115, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1115, S.D. 1, and S.B. No. 1115, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1118, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1118, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1118, S.D. 1, and S.B. No. 1118, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1486 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on Friday, April 11, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1486, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1486 and S.B. No. 1486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1495, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1495, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1495, S.D. 1, and S.B. No. 1495, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1499, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1499, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1499, S.D. 1, and S.B. No. 1499, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNFAIR METHODS OF COMPETITION," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1515, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1515, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1515, S.D. 1, and S.B. No. 1515, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1516, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1516, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1516, S.D. 1, and S.B. No. 1516, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1519 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1519, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1519 and S.B. No. 1519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1521, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1521, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1521, S.D. 1, and S.B. No. 1521, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1523 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1523, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1523 and S.B. No. 1523, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1524 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1524, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1524 and S.B. No. 1524, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1565, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments

proposed by the House to S.B. No. 1565, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1565, S.D. 1, and S.B. No. 1565, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1715 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1715, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1715 and S.B. No. 1715, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," was placed on the calendar for Final Reading on Monday, April 14, 1997.

S.B. No. 1814, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1814, S.D. 1, seconded by Senator D. Ige and carried.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1814, S.D. 1, and S.B. No. 1814, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY TELEPHONE SERVICE," was placed on the calendar for Final Reading on Monday, April 14, 1997.

Senator Solomon rose on a point of information as follows:

"Mr. President, I rise on a point of information. I'd like to ask questions of our Majority Leaders.

"Mr. President, I'm very concerned, being that we will be moving into conferences and I was wondering as to whether or not the leadership has established some kind of policy on how conferees will be appointed for those committees. Mr. President, this is the first time that the Senate in a new reorganization has co-chairmen. The question that I have is that many of the bills have several referrals to two or three different subject matter committees. Another point, if the Majority Leaders could answer, is that many bills had House companions and when they came back to the Senate they were referred to different committees than the Senate companions were referred to. I'm hoping the Majority Leaders can enlighten us on this. I was very surprised that many of the bills that came out of the Finance Committee were bills that were merged together from more than one Senate bill and I was wondering how that would be handled. Also, Mr. President, as these bills were merged, were all committees notified? Also, was there written prior concurrence as far as our Rule 17 goes.

"With all of these questions, I'm hoping the Majority Leaders could enlighten me as to what will be our procedure as we move into our final days of the Legislature.

"Thank you, Mr. President."

The Chair interjected:

"I may be able to answer that for the Majority Leaders.

"I do have the responsibility of appointing conference committees and will be submitting the list of bills that are in disagreement with the House. And along with those particular bills will be a short instructional sheet accompanying the bills

that are in disagreement. So you will be getting that very shortly."

Senator Solomon then said:

"Thank you, Mr. President. If I may, Mr. President, since you have taken it upon yourself to answer these questions, if I may ask a question of you, Mr. President. (Chair: Sure.) Thank you.

"In the past, Mr. President, the Senate has always had an unwritten policy where different members, as long as they had voted free and clear on an issue, could request to be on the conference committee. Are we still adhering to that policy, or how are we going to be making those decisions?"

The President answered:

"Recommendations can be made by the chairs and I would take that into consideration in formulating the conference bills."

Senator Solomon continued to query:

"Mr. President, if I may. Now with our new reorganization I know that a lot of communication has to be done through memos. Do we as committee members have to write a memo of request to the chairmen of the respective committees, or do we work directly with your office or with the Majority Leaders?"

The Chair replied:

"There will be a standard form that we have been used to using. And so we'll have communication, a vote verbally in this particular matter."

Senator Solomon then said:

"Thank you very much."

Senator Iwase then rose and said:

"Mr. President, just following up on the question posed by the Senator from the Big Island.

"Is it the policy that if there are joint referrals or several referrals -- as in the past, the chairs of every committee were on the conference -- would that policy remain the same or would it be changed under the new arrangement?"

The President answered:

"We are looking at the subject matter in detail to see what purview in terms of the committee jurisdiction and looking at it in terms of members of the conference committee based on responsibility and subject matter of that particular bill."

Senator Iwase continued:

"If I recall, Mr. President, in the past if there were two committees, the chairs of the first and second committees were automatically members of the Conference Committee. Now, when we have two or three or four committees, which result in eight conferees, and if the Republicans are added and if they were on both committees or some of the committees, ten conferees -- are we adhering to the philosophy that we have adhered to in the past that the chairs of all subject matter committees on that bill will be members of the Conference Committee."

President Mizuguchi responded:

"We'll try to accommodate all of the chairs, but in some instances where there have been some changes, we may deviate from that policy."

Senator Iwase further inquired:

"And if the change did not include a prior written concurrence, how would that kind of decisions be made?"

The Chair answered:

"I think that will be done by communication with the chairs involved."

Senator Iwase asked: "That will be done shortly?"

The Chair responded: "Case by case. That's right."

Senator Iwase continued:

"We will have criteria presented to us so that we can review?"

The Chair replied: "There will be some criteria. Yes."

Senator Iwase then said: "Thank you."

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senator Slom rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I've been reading and hearing that the governor has proposed that public employees have a 35-hour work week. Mr. President, I believe that this is probably in line with what many of us have said for years -- that we have too many public employees. We've been over-staffed. Conversely, why stop at 35 hours per week? Why not reduce it to 30 hours a week or 25?"

"I'm just wondering if maybe we could transmit to the governor a provision so that we could reduce the average work week for the small businesswoman or businessman owner to 85 hours per week, Mr. President.

"Thank you very much."

#### ADJOURNMENT

At 12:12 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 14, 1997.

## FIFTIETH DAY

Monday, April 14, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:08 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Senator Rosalyn H. Baker, Hawaii State Senate, after which the Roll was called showing all Senators present with the exception of Senator Fernandes Salling who was excused.

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

Senator Slom introduced several individuals representing the Japan-American Institute of Management Science and congratulated the institute on its 25th anniversary and for its intercultural management contributions to the Asia-Pacific region.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:22 o'clock a.m.

Senator McCartney introduced Head Coach Riley Wallace and the members of the University of Hawaii 1997 Rainbow Basketball Team, its assistant coaches and team manager and congratulated them for an outstanding season. Accompanying the team was Hugh Yoshida, Athletic Director for the University of Hawaii.

At 11:30 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:37 o'clock a.m.

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 285, dated March 31, 1997, transmitting the State Foundation on Culture and the Arts Report on Federal Funds Received, Budget Proviso Act 287, Section 192, SLH 1996, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATION

Hse. Com. No. 811, informing the Senate that the House has disagreed to the amendments proposed by the Senate to H.B. No. 1433, H.D. 2, was read by the Clerk and was placed on file.

## STANDING COMMITTEE REPORTS

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1711) recommending that H.B. No. 1839, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1711 and H.B. No. 1839, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," was deferred until Tuesday, April 15, 1997.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1687 (Gov. Msg. No. 209):

Senator Baker moved that Stand. Com. Rep. No. 1687 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of MICHAEL S. HOWDEN to the Board of Acupuncture, term to expire June 30, 2001, seconded by Senator D. Ige.

Senator Baker rose in support of the nominees as follows:

"Mr. President, I have some remarks in support of the nominees from your Committee on Commerce, Consumer Protection, and Information Technology that I'd like to have inserted into the Journal."

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

"Mr. President, I rise to speak in favor of nominations to various boards and commissions as submitted in Gov. Msg. Nos. 209, 217, 218, 219, 220, 222 and 227.

"Mr. President and colleagues, your Committee on Commerce, Consumer Protection and Information Technology diligently questioned the candidates and found them to be qualified to fulfill the responsibilities of their respective board duties. While each candidate brings a wealth of education, experience and skills to their respective positions, your committee was most impressed with their commitment and dedication to public service.

"In making its recommendation, Mr. President, your committee was mindful of the importance the various boards and commissions have with regard to ensuring that licensed professionals are practicing their vocations with the highest standard of integrity and that consumers in the marketplace are well protected. We are confident that the candidates before us will make a positive contribution to the board or commission they seek.

"On behalf of Co-Chair Senator David Ige and myself, we strongly recommend confirmation of:

Michael S. Howden, Board of Acupuncture;  
Ivan Nakano and Ernie Seibold, Motor Vehicle Industry Licensing Board;  
Melvin Miyasaki, Motor Vehicle Repair Industry Board;  
June Hiraki, State Board of Nursing;  
Cynthia Tamayo, Naomi Wada and Randal Hashimoto, Board of Physical Therapy;  
Mitchell Imanaka, Real Estate Commission; and  
Aimee Anderson, Nariyoshi Hiraoka and Craig Nishimoto, Board of Veterinary Examiners.

"Thank you, Mr. President."

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1688 (Gov. Msg. No. 217):

Senator Baker moved that Stand. Com. Rep. No. 1688 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of IVAN I. NAKANO and ERNIE K. SEIBOLD to the Motor Vehicle Industry Licensing Board, terms to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1689 (Gov. Msg. No. 218):

Senator Baker moved that Stand. Com. Rep. No. 1689 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of MELVIN H. MIYASAKI to the Motor Vehicle Repair Industry Board, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1690 (Gov. Msg. No. 219):

Senator Baker moved that Stand. Com. Rep. No. 1690 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of JUNE M. HIRAKI, R.N., to the State Board of Nursing, term to expire June 30, 1998, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1691 (Gov. Msg. No. 220):

Senator Baker moved that Stand. Com. Rep. No. 1691 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of CYNTHIA M. TAMAYO, P.T., NAOMI K. WADA, P.T., and RANDAL HASHIMOTO to the Board of Physical Therapy, terms to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1692 (Gov. Msg. No. 222):

Senator Baker moved that Stand. Com. Rep. No. 1692 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of MITCHELL A. IMANAKA to the Real Estate Commission, term to expire June 30, 2001, seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1693 (Gov. Msg. No. 227):

Senator Baker moved that Stand. Com. Rep. No. 1693 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations to the Board of Veterinary Examiners of the following:

AIMEE ANDERSON, term to expire June 30, 1998; and

NARIYOSHI HIRAOKA and CRAIG M. NISHIMOTO, D.V.M., terms to expire June 30, 2001,

seconded by Senator D. Ige.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1694 (Gov. Msg. No. 226):

Senator Chumbley moved that Stand. Com. Rep. No. 1694 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of LANI LIU EWART to the Commission to Promote Uniform Legislation, term to expire June 30, 2001, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and said:

"Mr. President, we have remarks from the Judiciary Committee on the Commission to Promote Uniform Legislation to be inserted in the Journal."

The Chair having so ordered, the remarks on behalf of the Judiciary Committee read as follows:

"Mr. President, I rise to speak in favor of the nomination of Lani Liu Ewart to the Commission to Promote Uniform Legislation.

"Lani Liu Ewart holds a J.D. from the University of California at Berkeley and has practiced law for the past 20 years. Ms. Ewart has served on the Commission to Promote Uniform Legislation since 1977, during which time she has participated in annual review meetings and has served as a member of the National Conference's Review Committee on the Revision of the Uniform Unclaimed Property Act. She is also a member of other professional and community associations."

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1695 (Gov. Msg. No. 229):

Senator Chumbley moved that Stand. Com. Rep. No. 1695 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nominations of PAMELA FERGUSON-BREY and HA'AHEO MANSFIELD to the State Commission on the Status of Women, terms to expire June 30, 2001, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee and said:

"Mr. President, we have remarks from the Judiciary Committee on the Status of Women appointments to be inserted in the Journal."

The Chair having so ordered, the remarks on behalf of the Judiciary Committee read as follows:

"Mr. President, I rise to speak in favor of the nominations of Pamela Ferguson-Brey and Ha'aheo Mansfield to the State Commission on the Status of Women.

"Pamela Ferguson-Brey holds a Bachelors degree from the University of Hawaii and a J.D. from the William S. Richardson School of Law. Ms. Ferguson-Brey is currently the Project Director and DUI/Domestic Violence Act Training Coordinator for the Hawaii Prosecuting Attorneys Association and is active in community and professional organizations.

"Ha'aheo Mansfield obtained a Masters degree from the University of Hawaii and is presently the Deputy Director of Programs for Parents and Children Together. Ms. Mansfield is active in community and professional organizations."

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1696 (Gov. Msg. Nos. 190 and 262):

Senator Iwase moved that Stand. Com. Rep. No. 1696 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations to the Hawaii Community Development Authority of the following:

MICHAEL KEN KAWAHARADA, term to expire June 30, 2001 (Gov. Msg. No. 190); and

JAMES K. TSUGAWA, term to expire June 30, 1998 (Gov. Msg. No. 262),

seconded by Senator Solomon.

Senator Solomon then rose and said:

"Mr. President, likewise I have some remarks. This comes from your Water, Land, and Hawaiian Affairs Committee in support of the nominees. Thank you."

The Chair having so ordered, the remarks from the Water, Land, and Hawaiian Affairs Committee read as follows:

"Mr. President, upon reviewing the statements submitted by the nominees, your Committee on Water, Land, and Hawaiian Affairs finds that the nominees are volunteers, willing to serve without compensation, and will work with compassion and commitment to assist in administering the purpose and functions of the respective boards and commissions to which they have been appointed. Your committee further finds that the nominees have been appointed based on their professional credentials, integrity, and a desire to make Hawaii better through their participation on the various boards and commissions to which they have been nominated.

"Your committee diligently questioned the nominees about their prospective role on the specific board or commission and believes that they adequately responded to the committee's inquiries. After full consideration of their background, character, experience, and qualifications of the nominees, we have found them to be qualified for the positions to which nominated and recommend that the Senate advise and consent to the nominations."

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1697 (Gov. Msg. No. 193):

Senator Iwase moved that Stand. Com. Rep. No. 1697 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations to the Board of Directors, Aloha Tower Development Corporation of the following:

LLOYD F. KAWAKAMI, term to expire June 30, 2000; and

IRIS R. OKAWA, term to expire June 30, 2001,

seconded by Senator Solomon.

Senator McCartney rose and said:

"Mr. President, I would like to insert remarks into the Journal on behalf of the a nominee listed under Gov. Msg. No. 193."

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

"It is my pleasure to insert these remarks into the Senate Journal on behalf of Iris R. Okawa as the governor's nominee to the Board of Directors, Aloha Tower Development Corporation. I think she brings a wealth of job experience to the board and know that she will add value to the mission and purpose of the Aloha Tower Development Corporation. Iris understands that the corporation is more than just a commercial development--it is also a gathering place for people. I know she is committed to this vision. She is a highly competent and dedicated individual who will exemplify the type of public service all of us in the community should have and I wholeheartedly endorse her nomination."

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1698 (Gov. Msg. No. 198):

Senator Iwase moved that Stand. Com. Rep. No. 1698 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of P. ROY CATALANI, ISAAC FIESTA, JR., and PETER YUKIMURA to the Land Use Commission, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1699 (Gov. Msg. No. 244):

Senator Iwase moved that Stand. Com. Rep. No. 1699 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of RICHARD NELSON III, HERRING K. KALUA, and THOMAS P. CONTRADES to the Hawaiian



Homes Commission, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1700 (Gov. Msg. No. 245):

Senator Iwase moved that Stand. Com. Rep. No. 1700 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations to the Kaho'olawe Island Reserve Commission of the following:

RALPH P. DEDMAN, term to expire June 30, 2000; and

A. FRENCHY DESOTO and NOA EMMETT AUWAE ALULI, M.D., terms to expire June 30, 2001,

seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1701 (Gov. Msg. No. 246):

Senator Iwase moved that Stand. Com. Rep. No. 1701 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of KATHRYN WHANG INOUYE and WILLIAM KENNISON to the Board of Land and Natural Resources, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1702 (Gov. Msg. No. 264):

Senator Iwase moved that Stand. Com. Rep. No. 1702 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of MARIE J. SOLOMON and GERALDINE K. BELL to the Island Burial Council, Island of Hawai'i, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1703 (Gov. Msg. No. 265):

Senator Iwase moved that Stand. Com. Rep. No. 1703 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nomination of ALTHEA K.L. ARINAGA to the Island

Burial Council, Islands of Kauai and Niihau, term to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1704 (Gov. Msg. No. 266):

Senator Iwase moved that Stand. Com. Rep. No. 1704 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations to the Island Burial Council, Islands of Maui and Lanai of the following:

CLIFFORD J. NAE'OLE, term to expire June 30, 1998; and

ANTHONY H. AKANA, MICHAEL P. MINN and ROBERT AIWOHI, terms to expire June 30, 2001,

seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1705 (Gov. Msg. No. 267):

Senator Iwase moved that Stand. Com. Rep. No. 1705 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of MYRLE P. FLOREA, RONALD KIMBALL and ANNA D. GOODHUE to the Island Burial Council, Island of Molokai, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1706 (Gov. Msg. No. 268):

Senator Iwase moved that Stand. Com. Rep. No. 1706 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of KALANI KAPU, LAURA KALUA MANUEL and R. ERIC BEAVER to the Island Burial Council, Island of Oahu, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1707 (Gov. Msg. No. 271):

Senator Iwase moved that Stand. Com. Rep. No. 1707 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nomination of THOMAS DECOURCY to the Molokai

Irrigation System Water Users Advisory Board, term to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1708 (Gov. Msg. No. 276):

Senator Iwase moved that Stand. Com. Rep. No. 1708 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of ROBERT G. GIRALD and DAVID A. NOBRIGA to the Commission on Water Resource Management, terms to expire June 30, 2001, seconded by Senator Solomon.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1709 (Gov. Msg. No. 208):

Senator Aki moved that Stand. Com. Rep. No. 1709 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of GALEN K. ONOUYE to the Education Commission of the States, term to expire June 30, 2001, seconded by Senator Tam.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

Stand. Com. Rep. No. 1710 (Gov. Msg. No. 221):

Senator Aki moved that Stand. Com. Rep. No. 1710 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of LOIS C. MIYASHIRO and CHRIST P. ZIVALICH, JR., to the State Post-Secondary Education Commission, terms to expire June 30, 2001, seconded by Senator Tam.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

#### FINAL READING

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

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1115, S.D. 1, and S.B. No. 1115, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETURN OF MERCHANDISE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1486, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1486, and S.B. No. 1486, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1495, S.D. 1, and S.B. No. 1495, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE LEASE DISCLOSURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

Senator Baker moved that S.B. No. 1515, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Tam requested a conflict ruling as follows:

"Mr. President, I think I have a possible conflict of interest on S.B. No. 1515, S.D.1, H.D. 1. On a part-time basis I'm a salesman for a pest control company."

The Chair ruled that Senator Tam was not in conflict.

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1515, S.D. 1, and S.B. No. 1515, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEST CONTROL OPERATORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1516, S.D. 1, and S.B. No. 1516, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1519, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1519, and S.B. No. 1519, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1523, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1523 and S.B. No. 1523, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1524, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1524 and S.B. No. 1524, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1565, S.D. 1, H.D. 1:

Senator Baker moved that S.B. No. 1565, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Slom rose to speak on the measure as follows:

"Mr. President, I'd like to vote 'aye' with reservations on this bill.

"I understand it still allows the use of genetic information for life insurance long-term disability, and also other types of insurance.

"Thank you."

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1565, S.D. 1, and S.B. No. 1565, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

S.B. No. 1715, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1715 and S.B. No. 1715, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURED TRANSACTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

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

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Ige, M.).

#### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION

The Chair re-referred the following House concurrent resolution that was received:

House Concurrent Resolution	Referred to:
No. 11	Committee on Ways and Means

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:50 o'clock a.m.

At this time, Senator Baker, on behalf of the members of the Senate, extended happy birthday wishes to Senator Kawamoto.

## APPOINTMENT OF CONFEREES

S.B. No. 5, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 5, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 135, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 135, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 138, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 138, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Kanno as managers on the part of the Senate at such conference.

S.B. No. 141, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 141, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Kanno as managers on the part of the Senate at such conference.

S.B. No. 226, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 226, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

S.B. No. 512, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 512, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 656, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 656, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Kanno as managers on the part of the Senate at such conference.

S.B. No. 952, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 952, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1114, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1114, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chairman, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1116, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1116, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1191, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1191, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1242, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1242, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, co-chairmen, Fukunaga, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1428, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1428, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Kawamoto, Slom as managers on the part of the Senate at such conference.

S.B. No. 1487, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1487, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., chairman, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1522, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1522, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1533 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1533 and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1560, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1560, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1714 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1714 and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1802, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1802, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1901, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1901, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1948, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1948, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Solomon as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 15, 1997.

## FIFTY-FIRST DAY

**Tuesday, April 15, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Martin Luke, Director of the Respite Program, St. Stephen's Church, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The President announced that he had read and approved the Journal of the Fiftieth Day.

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

Senator Tam introduced Lori Young, Miss Chinatown Hawaii who went on to capture the title of Miss Chinatown U.S.A. Miss Young was accompanied by Monica Kong, First Princess Miss Chinatown Hawaii, and Wendy Chang, Second Princess Miss Chinatown Hawaii.

Senator Matsunaga, in commemoration of the 55th anniversary of distinguished service by the Veterans of the 100th Infantry Battalion, introduced the following members of the 100th Infantry Battalion, Mr. Jo Muramatsu, Mr. Martin Tohara, Mr. Sakae Takahashi and Dr. Kenneth Otagaki.

At this time, the President invited Miss Chinatown U.S.A. Queen Lori Young to address the members of the Senate and appointed Senators Chun Oakland and Tam to escort her to the podium.

Queen Lori addressed the members of the Senate as follows:

"Senate President Mizuguchi, Senators of the State of Hawaii, and members of the 100th Infantry Battalion, thank you very much for this opportunity to recognize myself and my court here this afternoon. We are very honored to be your guests as your session comes to a close.

"As representatives of the State of Hawaii and the Chinatown community here in Honolulu, as well as the U.S., myself, Monica and Wendy look to you as leaders and mentors for the job that we have ahead of us.

"Thank you very much for your accolades and for your kind words."

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 286 to 319) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 286, informing the Senate that on April 14, 1997, he signed the following bills into law:

House Bill No. 37 as Act 11, entitled: "RELATING TO TRANSPORTATION";

House Bill No. 260 as Act 12, entitled: "RELATING TO INSURANCE";

House Bill No. 369 as Act 13, entitled: "RELATING TO INSURANCE";

House Bill No. 919 as Act 14, entitled: "RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION";

House Bill No. 1189 as Act 15, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 1190 as Act 16, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 1747 as Act 17, entitled: "RELATING TO THE KAHOLA'OLAWE ISLAND RESERVE"; and

House Bill No. 1870 as Act 18, entitled: "RELATING TO INSURANCE RATE REGULATION,"

was placed on file.

Gov. Msg. No. 287, informing the Senate that on April 14, 1997, he signed the following bills into law:

Senate Bill No. 140 as Act 19, entitled: "RELATING TO BUSINESS REGISTRATION";

Senate Bill No. 207 as Act 20, entitled: "RELATING TO THE LIQUOR TAX";

Senate Bill No. 910 as Act 21, entitled: "RELATING TO PROCUREMENT"; and

Senate Bill No. 1300 as Act 22, entitled: "RELATING TO EMPLOYMENT SECURITY APPEALS,"

was placed on file.

Gov. Msg. No. 288, informing the Senate that on April 14, 1997, he signed the following bills into law:

Senate Bill No. 45 as Act 23, entitled: "RELATING TO VETERANS";

Senate Bill No. 285 as Act 24, entitled: "RELATING TO THE COURTS";

Senate Bill No. 333 as Act 25, entitled: "RELATING TO DOMESTIC VIOLENCE";

Senate Bill No. 959 as Act 26, entitled: "RELATING TO THE UNIFORM PRUDENT INVESTOR ACT";

Senate Bill No. 1575 as Act 27, entitled: "RELATING TO CITATIONS FOR AIR POLLUTION CONTROL VIOLATIONS"; and

Senate Bill No. 1653 as Act 28, entitled: "RELATING TO LEAVE SHARING,"

was placed on file.

Gov. Msg. No. 289, submitting for consideration and confirmation to the Board of Agriculture, the nomination of SUMNER PARDEE ERDMAN, term to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 290, submitting for consideration and confirmation to the State Board of Chiropractic Examiners, the nomination of STEVEN J.T. CHOW, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 291, submitting for consideration and confirmation to the Civil Service Commission, the nomination of GEORGE NIITANI, term to expire June 30, 2001, was referred to the Committee on Human Resources.

Gov. Msg. No. 292, submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nomination of EUNICE M. DEMELLO, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 293, submitting for consideration and confirmation to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, the nominations of LORRAINE GODOY, GERALD J. MCKENNA, M.D., ANNETTE YAMAGUCHI, THELMA C. NIP and DOMINIC K. INOCELDA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 294, submitting for consideration and confirmation to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, the nominations of MELVIN S. KURAOKA, WALLACE T. OKI and GARY T. OURA, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Hawai'i Historic Places Review Board, the nomination of BENJAMIN T. TORIGOE, term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 296, submitting for consideration and confirmation to the Hawai'i Paroling Authority, the nomination of LANI RAE SUI SO GARCIA, term to expire June 30, 2000, was referred to the Committee on Judiciary.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Board of Directors, Hawai'i Strategic Development Corporation, the nominations of ROSE CRUZ CHURMA, PAUL Y. CHINEN and AUDREY E.J. NG, terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Hawai'i Tourism Marketing Council, the nominations of SAM SHENKUS and LETICIA T. GAOING, terms to expire June 30, 1999; and HIDEAKI IMURA, LESTER W.B. MOORE and ROSS WILSON JR., terms to expire June 30, 2001, was referred to the Committee on Economic Development.

Gov. Msg. No. 299, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of SUSAN B. HUNT and VIVIAN HO, terms to expire June 30, 1999; NOELLA J. KONG, term to expire June 30, 2000; and CLIFTON K. TSUJI, TIMOTHY E. JOHNS, JOHN S. KAOPUA, LEONARD A. RAPOZO SR., EDWIN S. OHTA, SABRINA R. TOMA, HIDEO MATSUSHITA, RANDOLPH P. PERREIRA, MERLE A. RYLAND and PETER C. LEWIS, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Honolulu Subarea Health Planning Council, the nominations of MARK TAYLOR, term to expire June 30, 2000; and SCOTT EDWARD O'BRIEN, DONN TAKAKI and DEBORAH K. MORIKAWA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nominations of LENORA L. LORENZO, CREIGHTON LIU and PATRICIA ST. JOHN-PAYNE, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of CECIL BINDEL, BETTE LARRABEE, AIRLEEN LUCERO and JOAN LEE MARS,

terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of: HANS TAALA, term to expire June 30, 1999; and JEROME O. MANNING, CAROL ODO and CLAUDINE MIKI TOMASA, R.N., terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 304, submitting for consideration and confirmation to the Hawai'i County Subarea Health Planning Council, the nominations of RENEE KUSANO, LITO ASUNCION, PATRICK E. LINTON and WAYNE C. SHIROTA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of LEONARD A. RAPOZO SR. and ELEANOR R. RAGASA, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 306, submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of HERBERT A.K. CAMPOS and (HELEN) JEANNE KENLON, terms to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 307, submitting for consideration and confirmation to the State Highway Safety Council, the nominations of KELVIN DANG and RANDALL A. MEDEIROS, terms to expire June 30, 2001, was referred to the Committee on Transportation and Intergovernmental Affairs.

Gov. Msg. No. 308, submitting for consideration and confirmation to the Statewide Independent Living Council, the nominations of: BARBARA FISCHLOWITZ-LEONG and GARY L. SMITH, terms to expire June 30, 1997; MARVIN F. POYZER, HEATHER PROUD, SHARON SHORE and LORI G. ODELL, terms to expire June 30, 1999; and BARBARA SISCHLOWITZ-LEONG and GARY L. SMITH, terms to expire June 30, 2000, was referred to the Committee on Human Resources.

Gov. Msg. No. 309, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of: LUCY M. AKAU, GEORGE W.H. KANIHO, JOELENE K. LONO, CAROLEE K.K. ARICAYOS and CANDACE K. LEE, terms to expire June 30, 1999; LANE KAAIAI, ANTOINETTE L. LEE and MARY ANN HUTCHINSON, terms to expire June 30, 2000; and SHERRY K. EVANS and ABIGAIL K. ROSA, terms to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 310, submitting for consideration and confirmation to the Hawai'i Library Advisory Commission, the nominations of ELAINE H. KOMO, term to expire June 30, 2000; and VIRGINIA L. MOORE term to expire June 30, 2001, was referred to the Committee on Education.

Gov. Msg. No. 311, submitting for consideration and confirmation to the Board of Medical Examiners, the nominations of: CULLEN T. HAYASHIDA, Ph.D., term to expire June 30, 1998; and THOMAS B. GROLLMAN, M.D., term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 312, submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nominations of ANNA C. KAOHELALUII, MICHAEL H. KIDO and PASCUAL DABIS, terms to expire June 30, 2001, was referred to the Committee on Water, Land, and Hawaiian Affairs.

Gov. Msg. No. 313, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of LAURA Y. CHOCK, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 314, submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nominations of JON F. HARRELL, D.O., and RUDY BRIONES, terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 315, submitting for consideration and confirmation to the Pest Control Board, the nomination of ANDREW C. NOWINSKI, term to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 316, submitting for consideration and confirmation to the Board of Pharmacy, the nominations of VALERIE M.K. MATSUNAGA, Pharm. D., and TERRI-ANN LEONG, Pharm. D., terms to expire June 30, 2001, was referred to the Committee on Commerce, Consumer Protection, and Information Technology.

Gov. Msg. No. 317, submitting for consideration and confirmation to the Radiologic Technology Board, the nomination of STEVEN HOSAKA, term to expire June 30, 2001, was referred to the Committee on Health and Environment.

Gov. Msg. No. 318, submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District (Oahu), the nomination of AMOR B. NINO, term to expire June 30, 2001, was referred to the Committee on Ways and Means.

Gov. Msg. No. 319, submitting for consideration and confirmation to the Advisory Board on Veterans Services, the nominations of ROBERT L. MONTAGUE, TAI SOON LEE and ED MINA, terms to expire June 30, 2001, was referred to the Committee on Transportation and Intergovernmental Affairs.

#### DEPARTMENTAL COMMUNICATION

Dept. Com. No. 20, from the State Auditor dated April 14, 1997, transmitting reports, "Audit of the University of Hawaii's Management of Faculty Workload" and "Management Audit of the Legal Aid Society of Hawaii," (Report Nos. 97-9 and 97-10), was read by the Clerk and was placed on file.

#### HOUSE COMMUNICATION

Hse. Com. No. 812, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to the following House bills, and the request for a conference on the subject matters of said amendments, the Speaker on April 14, 1997, appointed managers, respectively, on the part of the House for the consideration of said amendments:

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

Representatives Hiraki, Tom, co-chairmen, Takumi, Moses.

In accordance therewith, the President appointed Senators Ige, D., chairman, Aki, Slom as managers on the part of the Senate at such conference.

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

Representatives Hiraki, Menor, Tom, co-chairmen, Yamane, Aiona.

In accordance therewith, the President appointed Senators Ige, D., chairman, Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 20, H.D. 1 (S.D. 2):

Representatives Hiraki, Tom, co-chairmen, Case, Herkes, Marumoto.

H.B. No. 33, H.D. 2 (S.D. 2):

Representatives Hiraki, Say, co-chairmen, Nakasone, Marumoto.

H.B. No. 65, H.D. 1 (S.D. 1):

Representatives Menor, Tom, co-chairmen, Aiona.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 103, H.D. 2 (S.D. 1):

Representatives Herkes, Ito, co-chairmen, Ahu Isa, Fox.

H.B. No. 106, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

H.B. No. 107, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

H.B. No. 108, H.D. 2 (S.D. 1):

Representatives Tom, Say, co-chairmen, White, Yamane, Whalen.

H.B. No. 111, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Lee, Yamane, Yoshinaga, Pendleton.

H.B. No. 112, H.D. 2 (S.D. 1):

Representatives Cachola, Tom, Say, co-chairmen, Chang, McDermott.

H.B. No. 113, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Case, Jones, Yamane, Pendleton.

H.B. No. 116, H.D. 2 (S.D. 2):

Representatives Hiraki, Tom, co-chairmen, Takumi, Yamane, Moses.

H.B. No. 120, H.D. 1 (S.D. 1):

Representatives Arakaki, Santiago, Suzuki, co-chairmen, Fox.

H.B. No. 122, H.D. 1 (S.D. 2):

Representatives Santiago, Arakaki, Say, co-chairmen, Kahikina, Pendleton.

H.B. No. 133, H.D. 2 (S.D. 1):

Representatives Yonamine, Nakasone, co-chairmen, Marumoto.

H.B. No. 139, H.D. 2 (S.D. 1):



Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Fox.

H.B. No. 140, H.D. 2 (S.D. 2):

Representatives Tom, Say, co-chairmen, Cachola, Yamane, Whalen.

H.B. No. 141 (S.D. 1):

Representatives Tom, chairman, Case, Yamane, Thielen.

H.B. No. 143, H.D. 2 (S.D. 1):

Representatives Saiki, Kawakami, co-chairmen, Lee, Pendleton.

H.B. No. 147, H.D. 1 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Ahu Isa, Kahikina, Fox.

H.B. No. 167, H.D. 2 (S.D. 1):

Representatives Santiago, Say, co-chairmen, Lee, Pendleton.

H.B. No. 214 (S.D. 1):

Representatives Hiraki, chairman, Case, Takumi, Marumoto.

H.B. No. 233 (S.D. 1):

Representatives Hamakawa, Herkes, co-chairmen, Meyer.

H.B. No. 258 (S.D. 2):

Representatives Cachola, Say, co-chairmen, Ahu Isa, Chang, Aiona.

H.B. No. 293, H.D. 1 (S.D. 1):

Representatives Hiraki, chairman, Case, Takumi, Moses.

H.B. No. 345 (S.D. 1):

Representatives Menor, chairman, Cachola, Herkes, Lee, Kawanakoa.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 350, H.D. 1 (S.D. 1):

Representatives Say, chairman, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanoho, Kawakami, Nakasone, Suzuki, White, Fox, Marumoto, Meyer, Ward.

In accordance therewith, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 351, H.D. 2 (S.D. 2):

Representatives Herkes, Menor, Say, co-chairmen, Aiona.

H.B. No. 371, H.D. 2 (S.D. 1):

Representatives Yonamine, Tom, co-chairmen, Suzuki, Yamane, Whalen.

H.B. No. 417, H.D. 3 (S.D. 1):

Representatives Hamakawa, Hiraki, Kanoho, co-chairmen, Goodenow, Marumoto.

H.B. No. 432, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Hiraki, Jones, Yamane, Whalen.

H.B. No. 454, H.D. 1 (S.D. 1):

Representatives Takamine, chairman, Goodenow, Hamakawa, Morihara, Meyer.

H.B. No. 472 (S.D. 1):

Representatives Say, chairman, Nakasone, Marumoto.

In accordance therewith, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 480, H.D. 2 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Saiki, Fox.

H.B. No. 581, H.D. 1 (S.D. 1):

Representatives Herkes, Tom, co-chairmen, Ito, Whalen.

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

Representatives Menor, Tom, co-chairmen, Lee, Yamane, Kawanakoa.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

H.B. No. 623 (S.D. 1):

Representatives Tom, chairman, Herkes, Yamane, Yoshinaga, Pendleton.

H.B. No. 631, H.D. 2 (S.D. 2):

Representatives Santiago, Tom, co-chairmen, Lee, Yamane, Whalen.

H.B. No. 636, H.D. 2 (S.D. 1):

Representatives Hamakawa, Tom, co-chairmen, Goodenow, Yamane, Thielen.

H.B. No. 646, H.D. 2 (S.D. 2):

Representatives Santiago, Arakaki, Kawakami, co-chairmen, Stegmaier, Fox.

H.B. No. 675, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Jones, Yamane, Whalen.

H.B. No. 728, H.D. 1 (S.D. 1):

Representatives Suzuki, chairman, Ito, Meyer.

H.B. No. 777, H.D. 1 (S.D. 2):

Representatives Menor, Tom, co-chairmen, Lee, Yamane, Aiona.

H.B. No. 780, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Lee, Yoshinaga, Kawanakoa.

H.B. No. 793, H.D. 1 (S.D. 2):

Representatives Menor, chairman, Garcia, Herkes, Lee, Aiona.

H.B. No. 872 (S.D. 1):

Representatives Morihara, Chang, co-chairmen, Ward.

H.B. No. 931, H.D. 2 (S.D. 1):

Representatives Jones, Abinsay, co-chairmen, Chang, White, Fox.

H.B. No. 939, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Lee, Saiki, Yoshinaga, Aiona.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 971 (S.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

H.B. No. 979, H.D. 2 (S.D. 1):

Representatives Santiago, Say, co-chairmen, Kahikina, Suzuki, Pendleton.

H.B. No. 1006, H.D. 1 (S.D. 2):

Representatives Takai, Chang, co-chairmen, Goodenow, Morita, Meyer.

H.B. No. 1012 (S.D. 1):

Representatives Stegmaier, Tom, co-chairmen, Morita, Yamane, McDermott.

H.B. No. 1023 (S.D. 1):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Takai, Halford.

H.B. No. 1031, H.D. 1 (S.D. 1):

Representatives Say, chairman, Kawakami, Suzuki, Fox.

H.B. No. 1049, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Case, Garcia, Lee, Kawananakoa.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1086, H.D. 2 (S.D. 2):

Representatives Jones, Chang, co-chairmen, Abinsay, White, Fox.

H.B. No. 1087, H.D. 1 (S.D. 2):

Representatives Tom, Garcia, Say, co-chairmen, Yamane, Whalen.

H.B. No. 1105, H.D. 2 (S.D. 1):

Representatives Santiago, Stegmaier, Kawakami, co-chairmen, Morita, Halford.

H.B. No. 1132, H.D. 1 (S.D. 1):

Representatives Stegmaier, chairman, Morihara, Morita, Moses.

H.B. No. 1138, H.D. 1 (S.D. 1):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Morita, Moses.

H.B. No. 1188, H.D. 1 (S.D. 1):

Representatives Tom, Say, co-chairmen, Yamane, Yoshinaga, Pendleton.

H.B. No. 1196, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Menor, co-chairmen, Garcia, Saiki, Aiona.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1216, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Case, Garcia, Yoshinaga, Aiona.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1243, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Kanoho, co-chairmen, Goodenow, Hamakawa, Meyer.

H.B. No. 1244, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Menor, co-chairmen, Morihara, Kawananakoa.

H.B. No. 1247 (S.D. 1):

Representatives Yoshinaga, Tom, co-chairmen, Tarnas, Yamane, Thielen.

H.B. No. 1250, H.D. 3 (S.D. 2):

Representatives Yoshinaga, Tom, Say, co-chairmen, Yamane, Thielen.

H.B. No. 1287, H.D. 1 (S.D. 2):

Representatives Say, chairman, Nakasone, Marumoto.

H.B. No. 1292, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Kanoho, co-chairmen, Goodenow, Tarnas, Meyer.

H.B. No. 1300, H.D. 1 (S.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

H.B. No. 1309, H.D. 1 (S.D. 2):

Representatives Menor, chairman, Herkes, Saiki, Yoshinaga, Kawananakoa.

H.B. No. 1320 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1367 (S.D. 1):

Representatives Yoshinaga, Kanoho, co-chairmen, Hamakawa, Tarnas, Meyer.

H.B. No. 1370, H.D. 2 (S.D. 1):

Representatives Takamine, Yoshinaga, Kanoho, co-chairmen, Hamakawa, Meyer.

H.B. No. 1385 (S.D. 1):

Representatives Tom, chairman, Yamane, Whalen.

H.B. No. 1388, H.D. 2 (S.D. 1):

Representatives Tom, Say, co-chairmen, Jones, White, Pendleton.

H.B. No. 1390, H.D. 1 (S.D. 2):

Representatives Say, chairman, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanoho, Kawakami, Nakasone, Suzuki, White, Fox, Marumoto, Meyer, Ward.

In accordance therewith, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1393, H.D. 1 (S.D. 2):

Representatives Tom, Say, co-chairmen, White, Yamane, Whalen.

H.B. No. 1395 (S.D. 1):

Representatives Hiraki, chairman, Case, Takumi, Moses.

H.B. No. 1433, H.D. 2 (S.D. 3):

Representatives Stegmaier, Say, co-chairmen, Goodenow, Takamine, Halford.

H.B. No. 1450 (S.D. 1):

Representatives Menor, chairman, Cachola, Lee, Saiki, Kawanakoa.

In accordance therewith, the President appointed Senators Ige, D., chairman, Solomon, Slom as managers on the part of the Senate at such conference.

H.B. No. 1451, H.D. 1 (S.D. 1):

Representatives Yoshinaga, Menor, Tom, co-chairmen, Yamane.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Solomon as managers on the part of the Senate at such conference.

H.B. No. 1473 (S.D. 1):

Representatives Tom, chairman, Jones, Yamane, Yoshinaga, Whalen.

H.B. No. 1485, H.D. 2 (S.D. 2):

Representatives Jones, Say, co-chairmen, Abinsay, White, Meyer.

H.B. No. 1488, H.D. 2 (S.D. 1):

Representatives Arakaki, Menor, co-chairmen, Lee, Saiki, Whalen.

H.B. No. 1539 (S.D. 1):

Representatives Tom, Garcia, Say, co-chairmen, Kawakami, Whalen.

H.B. No. 1547, H.D. 2 (S.D. 1):

Representatives Tarnas, White, co-chairmen, Goodenow, Morihara, Marumoto.

H.B. No. 1575 (S.D. 1):

Representatives Jones, Menor, co-chairmen, Abinsay, Saiki, McDermott.

H.B. No. 1582, H.D. 2 (S.D. 1):

Representatives Tom, Say, co-chairmen, Lee, White, Pendleton.

H.B. No. 1587, H.D. 1 (S.D. 2):

Representatives Tom, Say, co-chairmen, Jones, White, Marumoto.

H.B. No. 1591, H.D. 2 (S.D. 1):

Representatives Tom, Say, co-chairmen, Case, Yamane, Marumoto.

H.B. No. 1593 (S.D. 1):

Representatives Say, chairman, Nakasone, Marumoto.

H.B. No. 1604, H.D. 1 (S.D. 1):

Representatives Tom, Say, co-chairmen, Herkes, Yamane, Whalen.

H.B. No. 1610, H.D. 2 (S.D. 1):

Representatives Tom, Say, co-chairmen, Jones, White, Whalen.

H.B. No. 1613 (S.D. 1):

Representatives Tom, Say, co-chairmen, White, Yamane, Pendleton.

H.B. No. 1618, H.D. 1 (S.D. 2):

Representatives Yonamine, Say, co-chairmen, Hiraki, Nakasone, Marumoto.

H.B. No. 1619, H.D. 2 (S.D. 1):

Representatives Yonamine, Nakasone, co-chairmen, Marumoto.

H.B. No. 1624, H.D. 1 (S.D. 2):

Representatives Yonamine, Say, co-chairmen, Case, Nakasone, Moses.

H.B. No. 1625, H.D. 1 (S.D. 2):

Representatives Yonamine, Nakasone, co-chairmen, Marumoto.

H.B. No. 1638, H.D. 2 (S.D. 1):

Representatives Garcia, Kanoho, co-chairmen, Kahikina, Saiki, Ward.

H.B. No. 1639, H.D. 2 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1640, H.D. 1 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1641 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1645, H.D. 1 (S.D. 2):

Representatives Say, chairman, Suzuki, Marumoto.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1646 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1648 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1650, H.D. 1 (S.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1654, H.D. 1 (S.D. 2):

Representatives Morihara, Stegmaier, Chang, co-chairmen, Takai, Halford.

H.B. No. 1655, H.D. 1 (S.D. 1):

Representatives Morihara, Chang, co-chairmen, Ahu Isa, Morita, Meyer.

H.B. No. 1656, H.D. 1 (S.D. 2):

Representatives Morihara, Say, co-chairmen, Ahu Isa, Takai, Meyer.

H.B. No. 1657, H.D. 1 (S.D. 1):

Representatives Morihara, Stegmaier, Say, co-chairmen, Tarnas, McDermott.

H.B. No. 1660, H.D. 2 (S.D. 1):

Representatives Morihara, Say, co-chairmen, Ahu Isa, Takai, Halford.

H.B. No. 1664, H.D. 1 (S.D. 2):

Representatives Morihara, Chang, co-chairmen, Ahu Isa, Tarnas, Meyer.

H.B. No. 1675, H.D. 2 (S.D. 1):

Representatives Menor, Suzuki, co-chairmen, Garcia, Lee, Ward.

H.B. No. 1686, H.D. 1 (S.D. 2):

Representatives Say, chairman, Nakasone, Marumoto.

H.B. No. 1688, H.D. 1 (S.D. 2):

Representatives Case, Say, co-chairmen, Kahikina, Suzuki, Kawanakao.

H.B. No. 1689, H.D. 1 (S.D. 2):

Representatives Say, chairman, Nakasone, Marumoto.

H.B. No. 1690, H.D. 1 (S.D. 1):

Representatives Say, chairman, Kawakami, Marumoto.

H.B. No. 1694 (S.D. 2):

Representatives Say, chairman, Suzuki, Marumoto.

H.B. No. 1695, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Kanoho, co-chairmen, Goodenow, Tarnas, Meyer.

H.B. No. 1701, H.D. 2 (S.D. 2):

Representatives Takamine, Say, co-chairmen, Hamakawa, Ito, Marumoto.

H.B. No. 1706, H.D. 2 (S.D. 2):

Representatives Yonamine, Nakasone, co-chairmen, Case, Suzuki, Marumoto.

H.B. No. 1713, H.D. 1 (S.D. 1):

Representatives Case, Tom, Say, co-chairmen, Yamane, Kawanakao.

H.B. No. 1714, H.D. 2 (S.D. 1):

Representatives Arakaki, Say, co-chairmen, Kahikina, Kawakami, Fox.

H.B. No. 1715, H.D. 1 (S.D. 1):

Representatives Arakaki, Tom, co-chairmen, Saiki, Yamane, Whalen.

H.B. No. 1716, H.D. 1 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Stegmaier, Fox.

H.B. No. 1721, H.D. 2 (S.D. 2):

Representatives Arakaki, Say, co-chairmen, Kawakami, Santiago, Pendleton.

H.B. No. 1724, H.D. 1 (S.D. 1):

Representatives Tom, Say, co-chairmen, White, Yamane, Thielen.

H.B. No. 1731, H.D. 1 (S.D. 2):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Morita, Ward.

H.B. No. 1732, H.D. 2 (S.D. 1):

Representatives Menor, Kawakami, co-chairmen, Garcia, Goodenow, Aiona.

H.B. No. 1738, H.D. 1 (S.D. 1):

Representatives Tarnas, Menor, co-chairmen, Morihara, Saiki, Thielen.

H.B. No. 1745, H.D. 2 (S.D. 2):

Representatives Tarnas, Tom, co-chairmen, Morihara, Yamane, Meyer.

H.B. No. 1762 (S.D. 1):

Representatives Hiraki, Say, co-chairmen, Nakasone, Takumi, Marumoto.

H.B. No. 1770 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1771 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1772 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1773 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1774 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1775 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1776 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1777 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1778, H.D. 1 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1779 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1780 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1781 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1782 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1783 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1784 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1785 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1786 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1787 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1788 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1789 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1790 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1791 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1792 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1793 (S.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

H.B. No. 1796, H.D. 1 (S.D. 1):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Fox.

H.B. No. 1797, H.D. 1 (S.D. 2):

Representatives Arakaki, Say, co-chairmen, Kawakami, Lee, Fox.

H.B. No. 1798 (S.D. 1):

Representatives Yonamine, Say, co-chairmen, Case, Nakasone, Marumoto.

H.B. No. 1799, H.D. 1 (S.D. 1):

Representatives Say, chairman, Nakasone, Suzuki, Marumoto.

H.B. No. 1804, H.D. 1 (S.D. 1):

Representatives Say, Takai, co-chairmen, White, Meyer.

H.B. No. 1805, H.D. 2 (S.D. 1):

Representatives Cachola, Say, co-chairmen, Chang, Ito, Aiona.

H.B. No. 1806, H.D. 1 (S.D. 1):

Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Marumoto.

H.B. No. 1814, H.D. 1 (S.D. 1):

Representatives Yonamine, Nakasone, co-chairmen, Marumoto.

H.B. No. 1818, H.D. 2 (S.D. 2):

Representatives Santiago, Menor, co-chairmen, Lee, Saiki, Pendleton.

H.B. No. 1819, H.D. 1 (S.D. 1):

Representatives Santiago, Menor, co-chairmen, Lee, Saiki, Pendleton.

H.B. No. 1829, H.D. 3 (S.D. 2):

Representatives Santiago, Arakaki, Tom, Say, co-chairmen, Pendleton.

H.B. No. 1831, H.D. 1 (S.D. 2):

Representatives Santiago, Stegmaier, Kawakami, co-chairmen, Kahikina, Ward.

H.B. No. 1833 (S.D. 2):

Representatives Hiraki, Tom, co-chairmen, Takumi, Yamane, Pendleton.

H.B. No. 1836, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Kanoho, co-chairmen, Goodenow, Hamakawa, Meyer.

H.B. No. 1837, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Kanoho, co-chairmen, Garcia, Hamakawa, Meyer.

H.B. No. 1838, H.D. 2 (S.D. 1):

Representatives Yoshinaga, Say, co-chairmen, Goodenow, Kanoho, Meyer.

H.B. No. 1840, H.D. 1 (S.D. 1):

Representatives Santiago, Say, co-chairmen, Kahikina, Kawakami, Fox.

H.B. No. 1841, H.D. 3 (S.D. 2):

Representatives Santiago, Tom, Kawakami, co-chairmen, Kahikina, Fox.

H.B. No. 1842, H.D. 2 (S.D. 1):

Representatives Arakaki, Santiago, Menor, co-chairmen, Saiki, Aiona.

H.B. No. 1843, H.D. 2 (S.D. 2):

Representatives Yoshinaga, Kanoho, co-chairmen, Hamakawa, Morihara, Meyer.

H.B. No. 1854, H.D. 1 (S.D. 1):

Representatives Menor, Tom, Kanoho, co-chairmen, Cachola, Ward.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Taniguchi as managers on the part of the Senate at such conference.

H.B. No. 1857, H.D. 1 (S.D. 1):

Representatives Case, Tom, Say, co-chairmen, Suzuki, Kawanakoa.

H.B. No. 1858 (S.D. 1):

Representatives Menor, Tom, co-chairmen, Case, Yamane, Whalen.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 1860, H.D. 3 (S.D. 1):

Representatives Morihara, Menor, Tom, Say, co-chairmen, Halford.

H.B. No. 1863, H.D. 2 (S.D. 1):

Representatives Menor, Kanoho, co-chairmen, Hamakawa, Saiki, Ward.

H.B. No. 1864, H.D. 1 (S.D. 1):

Representatives Santiago, Menor, co-chairmen, Lee, Saiki, Whalen.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

H.B. No. 1893 (S.D. 1):

Representatives Menor, chairman, Garcia, Lee, Saiki, Whalen.

In accordance therewith, the President appointed Senators Baker, chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 1894 (S.D. 1):

Representatives Menor, chairman, Garcia, Herkes, Lee, Whalen.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1899, H.D. 1 (S.D. 1):

Representatives Menor, chairman, Herkes, Lee, Saiki, Whalen.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

H.B. No. 1900, H.D. 1 (S.D. 1):

Representatives Menor, Kanoho, co-chairmen, Cachola, Hamakawa, Ward.

In accordance therewith, the President appointed Senators Baker, Ige, D., co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 1902 (S.D. 1):

Representatives Menor, chairman, Garcia, Lee, Saiki, Aiona.

In accordance therewith, the President appointed Senators Baker, chairman, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 1904, H.D. 3 (S.D. 1):

Representatives Morihara, Chang, co-chairmen, Ahu Isa, Morita, McDermott.

H.B. No. 1965, H.D. 1 (S.D. 1):

Representatives Tarnas, Tom, co-chairmen, Hamakawa, Yamane, Thielen.

H.B. No. 1984 (S.D. 2):

Representatives Santiago, Kawakami, co-chairmen, Abinsay, Kahikina, Pendleton.

H.B. No. 2019, H.D. 1 (S.D. 2):

Representatives Yoshinaga, Say, co-chairmen, Goodenow, Hamakawa, Meyer.

H.B. No. 2032, H.D. 2 (S.D. 2):

Representatives Stegmaier, Kawakami, co-chairmen, Ito, Tarnas, McDermott.

H.B. No. 2060, H.D. 1 (S.D. 1):

Representatives Say, chairman, Abinsay, Ahu Isa, Chang, Goodenow, Hamakawa, Ito, Kahikina, Kanoho, Kawakami, Nakasone, Suzuki, White, Fox, Marumoto, Meyer, Ward.

In accordance therewith, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Ihara, Iwase, Kawamoto, Levin, Tam, Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2202, H.D. 2 (S.D. 1):

Representatives Menor, Kanoho, co-chairmen, Case, Hamakawa, Ward.

H.B. No. 2207, H.D. 2 (S.D. 1):

Representatives Case, Say, co-chairmen, Suzuki, Yamane, Marumoto.

H.B. No. 2234, H.D. 1 (S.D. 1):

Representatives Morihara, Say, co-chairmen, Suzuki, Takai, Halford,

was read by the Clerk and was placed on file.

**STANDING COMMITTEE REPORTS**

Senators Aki and Tam, for the Committee on Education, presented a report (Stand Com. Rep. No. 1712) recommending that S.R. No. 90, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Tam, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 90, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COMMITTEE ON EDUCATION TO CONVENE A TASK FORCE TO ENSURE IMPLEMENTATION OF THE HAWAII GOALS FOR EDUCATION," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1713) recommending that S.R. No. 54, as amended in S.D. 1, be adopted.

On motion by Senator Tam, seconded by Senator Ihara and carried, the report of the Committee was adopted and S.R. No. 54, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION DEVELOP A COMMUNICATION PLAN TO INFORM PARENTS, STUDENTS, AND THE COMMUNITY ABOUT CHAPTER 19 RULES," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1714) recommending that the Senate advise and consent to the nominations of the following:

RONALD A. DARBY to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 153; and

GRETCHEN M. GOULD and KIM NICHOLAS HOLLAND, Ph.D., to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 269.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1714 and Gov. Msg. Nos. 153 and 269 were deferred until Wednesday, April 16, 1997.

**ORDER OF THE DAY**

**THIRD READING**

**MATTER DEFERRED FROM TUESDAY, APRIL 8, 1997**

H.B. No. 392, H.D. 2:

By unanimous consent, action on H.B. No. 392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES," was deferred until Tuesday, April 22, 1997.

**THIRD READING**

Stand. Com. Rep. No. 1711 (H.B. No. 1839, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1711 was adopted and H.B. No. 1839, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Bunda).

Senator Kanno, for the Committee on Human Resources, requested a waiver of the 72-hour Notice of a Public Hearing on H.C.R. No. 168, and the Chair granted the waiver.

Senator M. Ige, for the Committee on Government Operations and Housing, also requested a waiver of the 72-hour Notice of a Public Hearing on Gov. Msg. Nos. 243 and 273, and H.C.R. No. 206, and the Chair granted the waiver.

At this time, Senator Chun Oakland, with the assistance of Senators Fukunaga, Matsunaga, Taniguchi, Tam and Levin, introduced the following recipients of the YWCA's Leader Luncheon Awards for 1997: Lynne Johnson; Rose Nakamura; Beatrice Krauss; Dr. Steven Bean, representing the St Andrew's Priory School for Girls; and Willow Morton, representing Kapiolani Medical Center for Women and Children.

At 12:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:44 o'clock p.m.

**RECOMMITTAL OF GOVERNOR'S MESSAGES**

Stand. Com. Rep. No. 1714 (Gov. Msg. Nos. 153 and 269):

Senator Solomon moved that Stand. Com. Rep. No. 1714 and Gov. Msg. Nos. 153 and 269 be recommitted to the Committee on Water, Land, and Hawaiian Affairs, seconded by Senator Iwase.

Senator Solomon then explained:

"Mr. President, we received a memo from the governor and we have to make some corrections on the expiration dates of these members."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1714 and Gov. Msg. Nos. 153 and 269, gubernatorial nominations to the Kaneohe Bay Regional Council, were recommitted to the Committee on Water, Land, and Hawaiian Affairs.

**APPOINTMENT OF CONFEREES**

S.B. No. 35, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 35, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, M., co-chairmen,

Matsunaga, Anderson as managers on the part of the Senate at such conference.

S.B. No. 130, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 130, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 165, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 165, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 242, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 242, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 286, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 286, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 293, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 293, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

S.B. No. 373 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 373 and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

S.B. No. 377, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 377, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 382, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 382, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Kanno, Tam, Anderson as managers on the part of the Senate at such conference.

S.B. No. 647, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 647, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 680, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 680, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., co-chairmen, Aki, Matsunaga, Solomon, Anderson as managers on the part of the Senate at such conference.

S.B. No. 681, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 681, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., co-chairmen, Aki, Kanno, Matsunaga as managers on the part of the Senate at such conference.

S.B. No. 717, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 717, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

S.B. No. 718 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 718 and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 831, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 831, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Metcalf as managers on the part of the Senate at such conference.

S.B. No. 835, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 835, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Baker, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 846, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 846, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 991, S.D. 2 (H.D. 2):



In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 991, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, Chumbley, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1069, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1069, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1153, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1153, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., co-chairmen, Aki, Matsunaga, Solomon, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1160, S.D. 1 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1160, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kawamoto, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1197, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1197, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, Chumbley, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1264, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1264, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1266, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1266, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1268, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1268, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1277, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1277, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1286 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1286, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1571, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1571, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1588, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1588, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Chumbley, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1589, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1589, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1618 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1618 and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Fernandes Salling, Kawamoto, co-chairmen, Taniguchi, Slom as managers on the part of the Senate at such conference.

S.B. No. 1619 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1619 and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kawamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1621 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1621 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Aki, Kanno as managers on the part of the Senate at such conference.

S.B. No. 1632, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1632, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes

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Salling, Fukunaga, co-chairmen, Ihara, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1794, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1794, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1943, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1943, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Aki, Kanno, Anderson as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:46 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., Wednesday, April 16, 1997.

## FIFTY-SECOND DAY

Wednesday, April 16, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Rabbi Avi Magid, Temple Emanu-El, after which the Roll was called showing all Senators present.

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

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

Senator Taniguchi introduced John de Mello, Kent Untermann, John Lee, John Kreag, Randy Havre, Peter and Jane McClaran, Derek Kurisu, William Honjiyo and Signe Godfrey, all of whom were 1997 Small Business Administration Award Winners.

Senator Tam introduced three gentlemen from the Honolulu Police Department who represent the Drug Abuse Resistance Education (D.A.R.E.) program in Hawaii: Officer John McEntire, President of Hawaii D.A.R.E. Officers Association; Deputy Chief William Clark; and Asst. Chief Michael Carvalho.

Senator Kawamoto, on behalf of himself and Senator D. Ige, introduced Cheryl Inouye and congratulated her on becoming the 1997 Hawaii State Spelling Bee Champion. Accompanying Cheryl was her mother, Susan Inouye.

Senator Kawamoto then introduced Admiral Archie Clemins of the United States Navy and congratulated him on becoming the 28th Commander in Chief of the United States Pacific Fleet. Accompanying Admiral Clemins was his wife, Marilyn.

At this time, President Mizuguchi invited Admiral Clemins to address the members of the Senate and the audience and appointed Senators Kawamoto and Sakamoto to escort him to the rostrum.

Admiral Clemins addressed the members of the Senate and their guests as follows:

"Thank you. Mr. President, distinguished Senators, members of the gallery, it's certainly an honor for me to be here. I've had the great fortune of spending 20 of my last 22 years in the Pacific -- all the way from Japan to California. As you all know, we're about -- if not already there -- to invoke on the Pacific Century and you will play a great deal to do with that and the economic success that we all have will depend a lot on what happens in the Pacific throughout the next 20 years. With that, we in the military hopefully will do our part to maintain the stability in this region so economics can thrive. And we try to do that very well.

"The people we have in the military today are the finest there is throughout all of society. We also like to be very good citizens and we like to share with you and to work to solve the mutual issues that we have to deal with. So, speaking on behalf of sailors and marines, men and women, officer and enlisted, of the United States Naval Service, I'm very happy to be here. We're happy to be in Hawaii and we're happy to work with you to deal with the issues in this very important area of the world.

"Thank you very much."

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 320, dated April 1, 1997, transmitting the 1996 State Certified Arbitration Program ("SCAP") Report, prepared by the Department of Commerce and Consumer Affairs, was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following HOUSE communications from the House (Hse. Com. Nos. 813 to 815) were read by the Clerk and were placed on file:

Hse. Com. No. 813, informing the Senate that the Speaker on April 15, 1997, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 5, S.D. 2 (H.D. 1):

Representatives Tom, chairman, Herkes, Yamane, Whalen.

S.B. No. 26 (H.D. 1):

Representatives Stegmaier, Tom, Kawakami, co-chairmen, Morita, Moses.

S.B. No. 35, S.D. 1 (H.D. 1):

Representatives Menor, Tom, co-chairmen, Garcia, Yamane, Aiona.

S.B. No. 37, S.D. 1 (H.D. 2):

Representatives Herkes, Jones, Say, co-chairmen, Abinsay, McDermott.

S.B. No. 58, S.D. 1 (H.D. 1):

Representatives Stegmaier, Kawakami, co-chairmen, Morita, Tarnas, Halford.

S.B. No. 130, S.D. 1 (H.D. 2):

Representatives Hiraki, Tom, co-chairmen, Takumi, Yamane, Whalen.

S.B. No. 135, S.D. 1 (H.D. 2):

Representatives Santiago, Menor, co-chairmen, Cachola, Lee, Whalen.

S.B. No. 138, S.D. 1 (H.D. 3):

Representatives Santiago, Menor, Kawakami, co-chairmen, Kahikina, Fox.

S.B. No. 141, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Lee, Yoshinaga, Whalen.

S.B. No. 147, S.D. 1 (H.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

S.B. No. 152, S.D. 2 (H.D. 1):

Representatives Menor, Tom, co-chairmen, Herkes, Yamane, Pendleton.

- S.B. No. 161, S.D. 1 (H.D. 1):  
Representatives Arakaki, Stegmaier, co-chairmen, Morita, Santiago, McDermott.
- S.B. No. 165, S.D. 2 (H.D. 1):  
Representatives Santiago, Tom, Menor, co-chairmen, Yamane, Thielen.
- S.B. No. 175 (H.D. 1):  
Representatives Yoshinaga, Kanoho, co-chairmen, Goodenow, Tarnas, Meyer.
- S.B. No. 202, S.D. 1 (H.D. 1):  
Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Marumoto.
- S.B. No. 208, S.D. 1 (H.D. 2):  
Representatives Herkes, Say, co-chairmen, Kawakami, Suzuki, Fox.
- S.B. No. 226, S.D. 1 (H.D. 1):  
Representatives Menor, chairman, Case, Garcia, Whalen.
- S.B. No. 242, S.D. 1 (H.D. 2):  
Representatives Tom, Say, co-chairmen, Jones, White, Whalen.
- S.B. No. 251, S.D. 1 (H.D. 2):  
Representatives Santiago, Kawakami, co-chairmen, Kahikina, Fox.
- S.B. No. 252, S.D. 1 (H.D. 2):  
Representatives Arakaki, Say, co-chairmen, Kahikina, Kawakami, Pendleton.
- S.B. No. 257, S.D. 2 (H.D. 2):  
Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Marumoto.
- S.B. No. 262, S.D. 1 (H.D. 1):  
Representatives Yonamine, Nakasone, co-chairmen, Hiraki, Suzuki, Marumoto.
- S.B. No. 263, S.D. 2 (H.D. 1):  
Representatives Santiago, Menor, co-chairmen, Kahikina, Saiki, Whalen.
- S.B. No. 286, S.D. 2 (H.D. 2):  
Representatives Tom, Say, co-chairmen, Herkes, Yamane, Whalen.
- S.B. No. 293, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 305, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Cachola, Jones, Yamane, Thielen.
- S.B. No. 373 (H.D. 1):  
Representatives Yoshinaga, Tom, co-chairmen, Goodenow, Yamane, Thielen.
- S.B. No. 375 (H.D. 2):  
Representatives Yoshinaga, Say, co-chairmen, Goodenow, Hamakawa, Meyer.
- S.B. No. 377, S.D. 2 (H.D. 2):  
Representatives Santiago, Tom, co-chairmen, Stegmaier, Yamane, Pendleton.
- S.B. No. 382, S.D. 1 (H.D. 1):  
Representatives Hiraki, Tom, co-chairmen, Takumi, Yamane, Whalen.
- S.B. No. 388, S.D. 2 (H.D. 2):  
Representatives Morihara, Menor, Tom, Say, co-chairmen, Halford.
- S.B. No. 426, S.D. 1 (H.D. 2):  
Representatives Takai, Say, co-chairmen, Ahu Isa, Kahikina, Halford.
- S.B. No. 497 (H.D. 2):  
Representatives Santiago, Say, co-chairmen, Lee, Pendleton.
- S.B. No. 512, S.D. 2 (H.D. 2):  
Representatives Santiago, Menor, co-chairmen, Cachola, Saiki, Kawanakoa.
- S.B. No. 538, S.D. 3 (H.D. 1):  
Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Morita, Ward.
- S.B. No. 623, S.D. 2 (H.D. 1):  
Representatives Say, chairman, Nakasone, Suzuki, Marumoto.
- S.B. No. 633, S.D. 2 (H.D. 2):  
Representatives Herkes, Takamine, co-chairmen, Ito, Kanoho, Aiona.
- S.B. No. 647, S.D. 1 (H.D. 2):  
Representatives Herkes, Tom, co-chairmen, Ito, Yamane, Whalen.
- S.B. No. 653, S.D. 2 (H.D. 2):  
Representatives Santiago, Arakaki, Tom, co-chairmen, Yamane, Pendleton.
- S.B. No. 656, S.D. 1 (H.D. 3):  
Representatives Santiago, Menor, Kawakami, co-chairmen, Kahikina, Fox.
- S.B. No. 680, S.D. 1 (H.D. 1):  
Representatives Menor, chairman, Lee, Yoshinaga, Kawanakoa.
- S.B. No. 681, S.D. 2 (H.D. 1):  
Representatives Menor, Tom, co-chairmen, Lee, Yamane, Aiona.

- S.B. No. 717, S.D. 2 (H.D. 2):  
Representatives Tom, Say, co-chairmen, Jones, White, Whalen.
- S.B. No. 718 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 727, S.D. 2 (H.D. 1):  
Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Moses.
- S.B. No. 817, S.D. 1 (H.D. 1):  
Representatives Stegmaier, chairman, Morihara, Morita, Moses.
- S.B. No. 818, S.D. 1 (H.D. 1):  
Representatives Menor, Tom, co-chairmen, Case, Yamane, Kawanakoa.
- S.B. No. 823, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 831, S.D. 2 (H.D. 2):  
Representatives Tom, Say, co-chairmen, Cachola, Yamane, Whalen.
- S.B. No. 835, S.D. 1 (H.D. 1):  
Representatives Santiago, Menor, co-chairmen, Cachola, Lee, Aiona.
- S.B. No. 843, S.D. 1 (H.D. 2):  
Representatives Herkes, Say, co-chairmen, Ahu Isa, Suzuki, Marumoto.
- S.B. No. 846, S.D. 1 (H.D. 2):  
Representatives Santiago, Menor, Tom, co-chairmen, Yamane, Kawanakoa.
- S.B. No. 870, S.D. 2 (H.D. 2):  
Representatives Hiraki, Tom, co-chairmen, Jones, Takumi, Marumoto.
- S.B. No. 871, S.D. 2 (H.D. 3):  
Representatives Herkes, Hiraki, Cachola, Menor, Say, co-chairmen, Aiona, Whalen.
- S.B. No. 927, S.D. 1 (H.D. 2):  
Representatives Santiago, Say, co-chairmen, Kahikina, Suzuki, Marumoto.
- S.B. No. 938, S.D. 1 (H.D. 1):  
Representatives Say, chairman, Suzuki, Marumoto.
- S.B. No. 941, S.D. 1 (H.D. 2):  
Representatives Tom, Say, co-chairmen, Kawakami.
- S.B. No. 944, S.D. 2 (H.D. 2):  
Representatives Yonamine, Say, co-chairmen, Nakasone, Suzuki, Marumoto.
- S.B. No. 952, S.D. 1 (H.D. 1):  
Representatives Menor, chairman, Cachola, Lee, Saiki, Whalen.
- S.B. No. 969 (H.D. 2):  
Representatives Morihara, Tom, Chang, co-chairmen, Morita, Moses.
- S.B. No. 986, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 989, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Yamane, Yoshinaga, Whalen.
- S.B. No. 991, S.D. 2 (H.D. 2):  
Representatives Hiraki, Tom, co-chairmen, Case, Yamane, Whalen.
- S.B. No. 1016 (H.D. 1):  
Representatives Jones, Hamakawa, Abinsay, co-chairmen, Chang, Fox.
- S.B. No. 1018, S.D. 1 (H.D. 2):  
Representatives Yoshinaga, Say, co-chairmen, Goodenow, Kano, Thielen.
- S.B. No. 1032, S.D. 2 (H.D. 2):  
Representatives Arakaki, Santiago, Menor, Tom, Kawakami, co-chairmen, Yamane, Fox, Pendleton.
- S.B. No. 1064, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 1069, S.D. 1 (H.D. 1):  
Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.
- S.B. No. 1082, S.D. 1 (H.D. 2):  
Representatives Yoshinaga, Menor, Say, co-chairmen, Morihara, Kawanakoa.
- S.B. No. 1089, S.D. 2 (H.D. 2):  
Representatives Yoshinaga, Kano, co-chairmen, Goodenow, Tarnas, Meyer.
- S.B. No. 1113, S.D. 1 (H.D. 1):  
Representatives Menor, Tom, co-chairmen, Yamane, Whalen.
- S.B. No. 1114, S.D. 1 (H.D. 1):  
Representatives Menor, chairman, Herkes, Yamane, Whalen.
- S.B. No. 1116, S.D. 1 (H.D. 1):  
Representatives Menor, Tom, co-chairmen, Saiki, Yamane, Aiona.
- S.B. No. 1153, S.D. 2 (H.D. 1):  
Representatives Menor, chairman, Herkes, Saiki, Yoshinaga, Kawanakoa.

S.B. No. 1160, S.D. 1 (H.D. 3):

Representatives Yoshinaga, Hiraki, Kanoho, co-chairmen, Goodenow, Thielen.

S.B. No. 1191, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Garcia, Yamane, Whalen.

S.B. No. 1197, S.D. 1 (H.D. 1):

Representatives Hiraki, Tom, co-chairmen, Takumi, Yamane, Thielen.

S.B. No. 1242, S.D. 1 (H.D. 1):

Representatives Yonamine, chairman, Case, Suzuki, Yamane, Marumoto.

S.B. No. 1264, S.D. 1 (H.D. 1):

Representatives Tom, Say, co-chairmen, Jones, White, Whalen.

S.B. No. 1266, S.D. 2 (H.D. 2):

Representatives Tom, Menor, Say, co-chairmen, White, Marumoto.

S.B. No. 1267, S.D. 1 (H.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

S.B. No. 1268, S.D. 2 (H.D. 2):

Representatives Tom, Say, co-chairmen, White, Yamane, Whalen.

S.B. No. 1277, S.D. 1 (H.D. 1):

Representatives Tom, chairman, Jones, Yamane, Yoshinaga, Whalen.

S.B. No. 1279, S.D. 1 (H.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

S.B. No. 1285, S.D. 1 (H.D. 2):

Representatives Tom, Say, co-chairmen, White, Yamane, Marumoto.

S.B. No. 1286 (H.D. 1):

Representatives Tom, chairman, Herkes, Jones, Yamane, Whalen.

S.B. No. 1293, S.D. 1 (H.D. 1):

Representatives Yonamine, Say, co-chairmen, Case, Nakasone, Moses.

S.B. No. 1316, S.D. 2 (H.D. 1):

Representatives Say, chairman, Suzuki, Marumoto.

S.B. No. 1385 (H.D. 1):

Representatives Garcia, Ito, co-chairmen, Saiki, Ward.

S.B. No. 1421, S.D. 2 (H.D. 1):

Representatives Say, chairman, Nakasone, Ward.

S.B. No. 1428, S.D. 1 (H.D. 1):

Representatives Herkes, Tarnas, co-chairmen, Ahu Isa, Goodenow, Thielen.

S.B. No. 1464, S.D. 1 (H.D. 1):

Representatives Arakaki, Say, co-chairmen, Chang, Kawakami, Fox.

S.B. No. 1472, S.D. 2 (H.D. 2):

Representatives Say, chairman, Chang, Nakasone, Marumoto.

S.B. No. 1487, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Herkes, Lee, Saiki, Aiona.

S.B. No. 1506, S.D. 1 (H.D. 1):

Representatives Yonamine, Menor, Say, co-chairmen, Nakasone, Marumoto.

S.B. No. 1522, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Herkes, Lee, Aiona.

S.B. No. 1533 (H.D. 1):

Representatives Menor, chairman, Herkes, Lee, Saiki, Whalen.

S.B. No. 1535, S.D. 1 (H.D. 2):

Representatives Menor, Tom, Kanoho, co-chairmen, Yamane, Ward.

S.B. No. 1553, S.D. 1 (H.D. 1):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Kahikina, Pendleton.

S.B. No. 1554, S.D. 1 (H.D. 2):

Representatives Arakaki, Tom, co-chairmen, Saiki, Yamane, Whalen.

S.B. No. 1560, S.D. 1 (H.D. 2):

Representatives Santiago, Menor, Tom, co-chairmen, Yamane, Aiona.

S.B. No. 1571, S.D. 1 (H.D. 2):

Representatives Tom, Say, co-chairmen, White, Yamane, Ward.

S.B. No. 1581, S.D. 2 (H.D. 2):

Representatives Yoshinaga, Say, co-chairmen, Goodenow, Kanoho, Meyer.

S.B. No. 1588, S.D. 1 (H.D. 2):

Representatives Santiago, Tom, co-chairmen, Hiraki, Lee, Pendleton.

S.B. No. 1589, S.D. 2 (H.D. 1):

Representatives Santiago, Tom, co-chairmen, Lee, Yoshinaga, Thielen.

S.B. No. 1599, S.D. 1 (H.D. 1):

Representatives Tarnas, Menor, co-chairmen, Morihara, Saiki, Thielen.

S.B. No. 1618 (H.D. 2):

Representatives Hiraki, Say, co-chairmen, Nakasone, Marumoto.

S.B. No. 1619 (H.D. 2):

Representatives Hiraki, Tom, co-chairmen, Yamane, Yonamine, Marumoto.

S.B. No. 1621 (H.D. 1):

Representatives Hiraki, Tom, co-chairmen, Takumi, Yoshinaga, Moses.

S.B. No. 1624 (H.D. 2):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Morita, McDermott.

S.B. No. 1625 (H.D. 2):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Morita, Ward.

S.B. No. 1628, S.D. 2 (H.D. 2):

Representatives Stegmaier, Kawakami, co-chairmen, Goodenow, Takai, Ward.

S.B. No. 1631, S.D. 2 (H.D. 2):

Representatives Arakaki, Stegmaier, Kawakami, co-chairmen, Morihara, Moses.

S.B. No. 1632, S.D. 2 (H.D. 2):

Representatives Saiki, Kawakami, co-chairmen, Lee, Pendleton.

S.B. No. 1636, S.D. 2 (H.D. 1):

Representatives Morihara, Chang, co-chairmen, Ward.

S.B. No. 1683, S.D. 1 (H.D. 2):

Representatives Morihara, Chang, co-chairmen, Ahu Isa, Takai, Meyer.

S.B. No. 1714 (H.D. 1):

Representatives Menor, chairman, Case, Herkes, Lee, Aiona.

S.B. No. 1766, S.D. 1 (H.D. 1):

Representatives Tom, chairman, Jones, Yamane, Yoshinaga, Whalen.

S.B. No. 1773, S.D. 2 (H.D. 2):

Representatives Yoshinaga, Say, co-chairmen, Goodenow, Hamakawa, Meyer.

S.B. No. 1794, S.D. 1 (H.D. 2):

Representatives Santiago, Kawakami, co-chairmen, Kahikina, Saiki, Pendleton.

S.B. No. 1802, S.D. 2 (H.D. 1):

Representatives Say, chairman, Ito, Kawakami, Marumoto.

S.B. No. 1806, S.D. 2 (H.D. 2):

Representatives Cachola, Chang, co-chairmen, Abinsay, Ahu Isa, Ward.

S.B. No. 1874, S.D. 2 (H.D. 2):

Representatives Arakaki, Kawakami, co-chairmen, Kahikina, Fox.

S.B. No. 1879, S.D. 2 (H.D. 2):

Representatives Arakaki, Santiago, Kawakami, co-chairmen, Abinsay, Pendleton.

S.B. No. 1891, S.D. 1 (H.D. 2):

Representatives Cachola, Say, co-chairmen, Chang, White, Meyer.

S.B. No. 1901, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Herkes, Lee, Whalen.

S.B. No. 1919, S.D. 1 (H.D. 2):

Representatives Kanoho, Say, co-chairmen, Ito, Marumoto.

S.B. No. 1943, S.D. 1 (H.D. 2):

Representatives Hiraki, Ito, co-chairmen, Nakasone, Takumi, Marumoto.

S.B. No. 1948, S.D. 1 (H.D. 1):

Representatives Menor, chairman, Cachola, Lee, Whalen.

S.B. No. 1951 (H.D. 2):

Representatives Herkes, Say, co-chairmen, Suzuki, Marumoto.

Hse. Com. No. 814, informing the Senate that the Speaker on April 16, 1997, discharged Representatives Hiraki and Say as co-chairmen and appointed Representatives Suzuki and Chang as a co-chairmen on the part of the House at the conference on S.B. No. 871, S.D. 2 (H.D. 3).

Hse. Com. No. 815, informing the Senate that the Speaker on April 16, 1997, appointed Representatives Nakasone, White and Marumoto as additional managers on the part of the House at the conference on H.B. No. 1805, H.D. 2 (S.D. 1).

## ORDER OF THE DAY

### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 49	Committee on Commerce, Consumer Protection, and Information Technology
No. 165	Committee on Commerce, Consumer Protection, and Information Technology

### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 4, from Celia C.U. Suzuki, Administrative Assistant to the Governor, dated April 8, 1997, transmitting a letter correcting the terms of expiration for the nominations to the Kaneohe Bay Regional Council (Gov. Msg. Nos. 153 and 269), was read by the Clerk and was placed on file. In accordance with Act 317, Section 7, SLH 1993, the terms of the

nominations listed under Gov. Msg. Nos. 153 and 269 shall expire on July 1, 1998.

Senator Baker rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, some weeks ago this body unanimously adopted a resolution calling upon the governor of our state to withdraw a nomination before your Committee on Commerce, Consumer Protection, and Information Technology because the nomination was impaired. Recently, Mr. President, you and I received a communication relative to that and I would like permission to read it into the Journal.

'Dear Senators Mizuguchi and Baker:

I will not be able to nominate a successor for Greg Pai prior to the end of this legislative session.

I've received many nominations and applications from labor unions, business and private citizens. I welcome nominations from the senators as well.

Greg Pai will resign on the last day of the session. I am advised by the Attorney General that his participation in PUC decisions up to that date is legal and proper.

I will be leaving for Japan on April 15th and return on April 19th. Please direct your inquiries to Charles Toguchi during my absence.

Aloha,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO'

"Mr. President, unfortunately, this leaves us in a position of not having a clear, formal withdrawal as the unanimously adopted resolution requested. I do understand that you have taken the initiative to remind the governor of the procedure the Senate needs to follow so that we do not have to have an unnecessary decision making and rejection of the nominee before us. Mr. President, I appreciate your initiative and await further communications from the governor.

"Thank you."

Senator Anderson also rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, over the last weekend there's been some headlines that really concerned me. We'll start from Sunday which says, 'Large vessels banned from Kaneohe Bay.' Then on Tuesday it says, 'Boat owner sues over ban,' and this morning, Mr. President, 'Tour boat limited attack.'

"Mr. President, the reason that these things concern me is because the daily newspapers have told us in the last week how our state economy hangs on the balance between regulations and the marketplace. Taxes and regulations will ultimately be the demise of the future of our state. I wish to explain, Mr. President.

"The Minority Floor Leader has been telling you recently about the small businesses that have gone bankrupt greatly because of government interferences and unnecessary burdens. Here are some of the headlines: 'Business Foreclosures Up, Jobs Decline in Hawaii' or 'Hawaii, a New Tax Hell,' and finally 'Welfare Cases in Isles Grow by 20 percent.'

"Mr. President, if we don't do something now, unemployment and welfare will continue to rise because more

and more businesses are going to be out of business. We are doing very little to help keep what we have afloat. And we are also failing to further promote new enterprises. These businesses are, and will be, an essential part of this state's livelihood. Yet, we continue to choke and stifle the growth of business by way of taxes and regulations.

"Mr. President, I wish to cite an example of this disregard for business from the recent actions of just one department -- DLNR and their Ocean Recreation Division. In 1992, Mr. President, when I was in the House, we started the Kaneohe Bay Task Force. No rules and regs were issued at that time by DLNR to further clarify this law. In the absence of such rules, permits were issued to various boats owners for mooring in Kaneohe Bay. DLNR issued permits and required fees and taxes were paid by these boating companies. DLNR issued permits which established that these companies would be allowed to conduct their businesses in the Bay. These businesses understood that these permits licensed their business, and subsequently invested their money and energy in a venture they believed was legally sound.

"Then early this year, Mr. President, in response to some complaints, the attorney general issued an opinion which said that these permits had been issued illegally and were not valid. Following this opinion, the boat owners were told by Mr. Parson of DLNR's Ocean Recreation Division that they would be allowed a transition period before the opinion would be enforced. However, on April 9, Mr. President, Mr. Parsons apparently changed his mind and wrote to the head of DLNR, Mr. Mike Wilson, that the attorney general's opinion had not been properly interpreted. Now, under the correct interpretation, no transition period would be allowed and the affected boats would have to immediately leave the Kaneohe Bay.

"Mr. President, my understanding of the purpose of the two bills that we have, S.B. No. 741 and H.B. No. 967, H.D. 2, was to make the changes that Mr. Parson and the department had failed to do. However, the bills died, and so a new interpretation of the attorney general opinion was put forth. Once again our bumbling bureaucrats bumped business in its okole.

"And what bothers me, Mr. President, is I got involved in this after being appointed by the governor. We found out that the Department of Land and Natural Resources was going to auction off permits on recreational facilities so that they could go ahead and make money for the department. This is where the problem started to come. And it's not just Kaneohe Bay that's being affected. There are 30 other businesses. It just so happens that this is the first, and the permits on the other businesses are going to rise 600 percent. So we're going to be in more trouble than we realize.

"We cannot hope to attract investors with new capital to our state until we have a government climate and attitude which will help, not hinder, business. I wish to end this morning, Mr. President, with a quote in this morning's paper from Mr. Gabriel Siu, 'This anti-business atmosphere from the state has to stop.' Mr. President, it must stop or the proverbial obituary of the businesses list will continue to grow.

"I hope my colleagues and yourself, Mr. President, realize that we're in 'deep kim chee.' We have to look at what we're doing. We're in a hell of a shape. You're going to have welfare continue to grow because you're putting businesses out of business and you're making sure that the people are not having jobs, and you will not create any new jobs. Yes, we need tax relief and we need a lot of things, but we have to make sure that there is employment for our people -- not to kill businesses so that there's going to be more unemployment.

"Thank you very much, Mr. President."



Senator Taniguchi, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing on H.C.R. Nos. 66, 93, 166, 241, 251, 262, 278, 279 and 281, and the Chair granted the waiver.

Senator Solomon, for the Committee on Water, Land, and Hawaiian Affairs, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, on H.C.R. Nos. 147, 186, 215, 258 and 259, and the Chair granted the waiver.

Senator Slom then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I received a copy of a press release this morning, Mr. President, from the leadership explaining why the Human Resources Committee will not be holding a hearing on the worker's compensation bill this year. Actually the press release is erroneous. It says it's holding off adoption of a coordinated care bill this year as proposed by the House.

"Mr. President, colleagues, I find this action ill-advised, inconceivable, inexcusable and outrageous. For four years now, the people in the business community have sought to have a public hearing, an airing, on this very important issue. No one has claimed to have a panacea whether it be coordinated care or anything else. All they wanted was a hearing and yet again, Mr. President and colleagues, it seems that one individual is able to stop this process even though we are told, day after day, that everyone is committed to helping business, that everybody is working together in collaboration. Everybody has some nice sounding words, Mr. President, even in the press release, and yet what does the press release say that the Senate Committee wants to do -- study the issue some more; have more input; reach a consensus.

"And they have pointed to other issues, Mr. President, such as no-fault insurance, high-three, same-sex marriage, and it is true that these are all very contentious issues. We do not have any agreement or any consensus and yet people have been unafraid to have hearings, to let the public speak, to let individuals involved make their statements, and yet for some reason this committee on this issue, and this bill refuses to hold a public hearing, refuses to take the bill into conference. I think it is unconscionable.

"What has been proposed? What has been proposed is that we have alternative dispute resolutions. That may be fine for the majority party when they go out to Barbers Point, but I don't think the business public needs alternative dispute resolutions. What they need is action and resolution on an issue which has been festering not for the last four years, but for the last 15 to 20 years.

"Mr. President, on this press release it said, 'Please feel free to address any questions to us or the subject matter co-chairs.' Mr. President, will the co-chair of the Human Resources Committee yield to a question?"

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

"Mr. Co-Chair, will you in fact hold a hearing, allow this bill to be discussed so that reasonable people can come up with reasonable alternatives to the problems facing the business community?"

Senator Kanno responded:

"I have a statement I'd like to read.

"We are committed to lowering workers' compensation medical costs without diminishing the quality of care for injured workers. At the same time, we want to create a system

to lower the rate of job-related injuries, thus increasing job productivity.

"We firmly believe that before a coordinated care organization law can be enacted, we must address concerns about limiting access to physicians, financial solvency, utilization/treatment caps, and the quality of care.

"We will focus our attention on this very important matter during the interim. The Senate Committee on Human Resources will ask subject-matter experts for information and their input, and will solicit the active participation of all stakeholders involved in a coordinated care program for injured workers. To facilitate the process we are going to use the services of Elizabeth Kent, director of The Judiciary's Center for Alternative Dispute Resolution. The goal is to develop a greater consensus among employers, employees, and health-care providers so that we can move forward together on a coordinated care system that supports all parties. We are making a commitment to take action and bring resolution to this.

"We did have a public informational briefing in the Senate Committee on Human Resources on the issue of coordinated care for workers' compensation. A number of concerns were raised that need to be addressed prior to passing a CCO bill.

"First, questions continue about sacrificing the quality and access of medical care in exchange for lowering costs. President Clinton cited this concern three weeks ago when he created the Advisory Commission on Consumer Protection and Quality in the Health Care Industry, to be co-chaired by the Secretary of Health and Human Services and the Secretary of Labor.

"The commission is charged with developing a consumer bill of rights so that patients get the information and care they need, when they need it. The Commission will also be investigating inappropriate financial incentives to limit care. Their first report is due at the end of the year and their final report in one year, March 1998.

"In Hawaii, questions continue about the quality of care furnished through the Quest managed care plans.

"At the informational briefing on coordinated care, there were concerns raised about limiting access to physicians, the utilization caps, the quality of care and financial solvency. During the interim, the Senate will examine these.

"Given the ever-changing nature of the health care industry, passing a CCO bill could make it obsolete before it's even implemented. Extensive work needs to be done with the stakeholders to share information, discuss upcoming changes in the industry and address unresolved concerns.

"Because of the recent financial trouble with PGMA, Insurance Commissioner Rey Grauly believes solvency concerns need to be addressed prior to passing a CCO bill to protect injured workers, employers, medical providers and the public. Labor Director Lorraine Akiba also agrees that a CCO bill this session would be premature.

"Parts of the 1995 and 1996 reforms of the workers' compensation law are being implemented this year. HEMIC (the Hawaii Employers' Mutual Insurance Company), which is designed to help employers in the assigned risk pool and is creating competition in the workers' compensation insurance industry, is expected to begin writing policies this summer. The workers' compensation benefits facilitator, an ombudsman, set up to assist injured workers find appropriate medical care and return quickly to work, is also being implemented this summer.

"The 1995 provision allowing unions to negotiate workers' compensation benefits is also being initiated this year. Some of

these collective bargaining agreements will include coordinated care organizations.

"I am deeply concerned about changes to the law that would increase costs to employers. The current CCO proposal would remove the cap on the medical fee schedule for workers' compensation. The 1995 Legislature set the cap at 110 percent of Medicare to address the largest cost-driver of the system. A key part of the recent 27 percent reduction to our workers' compensation premiums was the cap on the medical fee schedule. To remove the cap now, would increase costs and premiums.

"Thank you."

Senator Slom rose again and said:

"May I again ask the chair if he intends to hold a hearing. As you mentioned, there was an informational briefing held. There has been no hearing. There's a demand for a hearing, and while I appreciate the kind words of the co-chair and his deep concern about costs for businesses, if that concern is really deep then we will have a hearing, let people come to the table openly and in front of the public, discuss these issues and then reach a consensus as we do with every other issue in every other committee.

"Will you hold a hearing, sir?"

Senator Kanno responded:

"As I stated, we are going to be doing interim work to look at the number of issues raised and we will not be taking this issue to conference."

Senator Slom interjected:

"May I have a yes or no, sir. Will you hold a hearing?"

Senator Kanno replied:

"The answer is no."

Senator Slom then stated:

"You will not hold a hearing. Then, Mr. President, I have a real problem with all of this collaboration and all this commitment that we talk about. It was supposed to be more open. It was supposed to be a vehicle to allow the public to be able to discuss any and every issue, and I find it abominable that we allow this process to be thwarted.

"Thank you, Mr. President."

The Chair then made the following observation:

"We have a two-year session here at the Legislature, Mr. Minority Floor Leader, and I believe that the co-chair of Human Resources Committee has given all of us a commitment that this issue will be looked at during the interim."

Senator Slom responded:

"Mr. President, excuse me, but how many more businesses will not be here during that two-year period? How many businesses that are struggling now to meet their payroll? How many businesses that want to hire individuals including welfare recipients, but cannot do so because of this issue, will not be able to do that because of our failure to take action, Mr. President?"

"Thank you, sir."

Senator Sakamoto then rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"On a similar issue, Mr. President, I'm glad to hear a facilitator might happen, according to the Director of Labor, but it hasn't happened yet and this bill has passed.

"Let me just read (I'm sorry I haven't given everybody, all the members, what I'm going to read), Act 234 which this body passed, Mr. President.

'The director of labor and industrial relations and the insurance commissioner shall conduct a comprehensive feasibility study of coordinated health care delivery systems for consideration by the legislature as potential alternatives to the current system of providing medical care, services, and supplies and the medical care component of the workers' compensation system. The study shall include but not be limited to identification of various alternatives, applicable actuarial studies, medical benefits, and insurance premium cost comparisons, and any recommended legislation if applicable. The study, along with findings and recommendations, shall be submitted to the legislature no later than twenty days prior to the convening of the regular session of 1996.'

"The next paragraph:

'No later than July 1, 1996, the director of labor and industrial relations shall adopt rules, pursuant to chapter 91, for optional coordinated health care delivery systems under the workers' compensation system. The rules for optional coordinated health care delivery systems shall be submitted to the legislature no later than December 1, 1995. The legislature may disapprove the rules by concurrent resolution during the regular session of 1996.'

And so on and so forth.

"Mr. President, we defer enacting -- we have enacted ... we have enacted. We have a responsibility. There's executive, which the Department of Labor and the former commissioner were part of and the current commissioner, but we are legislative and we have enacted this legislation. And why wasn't it complied with? Did one person decide we don't need to comply with something?"

"I think we have a problem and I don't believe that it's the Department of Labor's problem or the Insurance Commissioner's problem. I believe we have a duty to carry out what we passed. We have a duty not to wait. Studies have been done -- numerous studies have been done. So this is not about waiting. This is not about studying. This is about doing, Mr. President, and I really don't want this to be a battle that cannot be solved quickly and I think it's a matter of not letting one person stand in the way of doing what we already said we're going to do. And this isn't about fee schedules. This is about providing what we said -- optional, coordinated care decisions, and if dollars are involved, let businesses decide if they want to get into a system. If a provider says 125 percent of fee schedule and the business says we don't want it, let that happen. But let there be tools for us to do what we need to do. Let there be processes that work, Mr. President.

"Businesses are asking for action, not studies. Thank you."

Senator McCartney also rose on a point of personal privilege as follows:

"Mr. President, I rise to speak on a point of personal privilege. Mr. President, I'd like to respond to some of the previous speaker's remarks on the issue of coordinated care.

"Mr. President, first of all, I'd like to set the record straight that this process is about doing. It may not be on the time line that some people want, but it is a process that we need to address critical questions like limiting access to doctors,

financial solvency, utilization caps, the quality of care, and workers' rights. All those different perspectives and positions have different views and perspectives that need to be looked at and examined as a total comprehensive package, and the process that we designed to move forward will allow us to do that, Mr. President.

"Mr. President, another troubling thing that I think we all need to look at, and that the Senator from Moanalua alluded to, is that we passed that law in 1995. And in 1995 we said there should be a study; the study was done. We also said that rules shall be adopted -- very similar to another bill like Kaneohe Bay -- rules should be adopted. The department failed to enact rules.

"I think the other thing that we need to do in the meantime is find out why the department hasn't enacted those rules for coordinated care. And it specifically said that if the Legislature does not agree with those rules, by concurrent resolution it can disapprove the rules, which meant that the Legislature specifically intended for those rules to be put into place and asked the department to do it.

"Secondly, when you talk to the Department of Labor, they are saying right now on the record that you can already do coordinated care and that is the opinion of the Director of Labor. I think the troubling thing that we need to wrestle with, is how much regulation should we put out there with business. Do we want more regulation or do we want less regulation? The department's view is less regulation is better. I think some of the concerns on the business side are saying that if we don't have regulations, we don't know where to go. What the department is saying is let the marketplace happen, and they're saying it's legal to do a coordinated care organization right now.

"These are the kinds of issues that I think need to be discussed, need to be talked about. And I think that's what the co-chairs are doing and I think, Mr. President, we can move forward to put together a good bill and enact it in time before this Legislature ends next session.

"Thank you."

Senator Anderson, again rising on a point of personal privilege, then stated:

"Mr. President, I rise on a point of personal privilege in response to some of the Majority Leader's comments.

"I may have been in this Senate a very short time but I've been in the Legislature for 17 years and we've been studying, for 17 years, the same problems over and over again for businesses and for everything that is needed in this state -- we have studied to death! When it came to the Kaneohe Bay Task Force (as I said, I was in the House in '92 when we set it up) the chairman for my Finance Committee happened to be Mr. Peter Nottage who was the head of the task force. And when we found out just last year or the year before that the department started selling permits for recreational boating in small harbors, which was very regulated, we regulated it because people were concerned about what was going on.

"The department has caused a hell of a lot of problems for us, and it's a domino effect. And Kaneohe Bay is just one of them. And you're right -- they did not write rules and regs, but they gave out permits, and they allowed businesses to grow. Now, if you're going to stop something, what you do is 'grandfather' everybody in. You don't go back and say, 'Hey, I made a mistake. You shouldn't have had a 200-ft. boat. You should have had a 100-ft. boat.' So consequently you lose your investment, and you tell the bankers you can't pay them and see how much you're liked as a businessman.

"I think, Mr. President, that we have studied things to death! Business community in the State of Hawaii has become a

minority -- like I am. There's only two of us left. Businesses are going down the tubes. There are far less today than there were 17 years ago and I'd like you to address that, if you would, Mr. Majority Leader."

The Chair interjected:

"Senator McCartney, one last rebuttal."

Senator McCartney responded to the previous speaker as follows:

"Mr. President, since the good Minority Leader brought up Kaneohe Bay, I'd like to comment on Kaneohe Bay.

"Yes, Kaneohe Bay has been studied and the master plan was put together by the commercial operators and everybody in the community, and we shook hands on that deal. We set caps at 150 and the very people that you allege are out of business today, violated that agreement. That agreement was put together by the community and those operators in a collaborative effort called the Kaneohe Bay Master Plan.

"Secondly, Mr. President, Kaneohe Bay is a treasured natural resource that belongs to the people of the State of Hawaii. And if you are going to use that resource to make money from and have permits sold off of, you don't own that property -- it belongs to the people! So when you use the bay, it belongs to the public and it's a privilege to be on the bay. Act 208 and all the bills that relate to Kaneohe Bay state that it's a privilege to operate a commercial activity out there.

"Also, the bill specifically says that if you are going to replace existing equipment, it has to be of like nature and of like quality. The individuals that you're talking about, Mr. President, came in and they expanded. Their boats were twice the size of what was out there. How many people are we going to allow in Kaneohe Bay before the local people are choked out? How many people are we going to allow to participate in commercial/recreational activities when people cannot take their families out to the sandbar anymore because there's a commercial operation out there?

"What the master plan says is there's a balance. There is a place for business; there is a place for business to operate in the bay, and there is a place to protect and preserve the bay and they can coexist. But when one side takes advantage of the other and does not follow the rules, the law, there's a problem, and that's where we are at in Kaneohe Bay.

"And mind you, the Kaneohe Bay bill was not heard either. This Senator requested a hearing on Kaneohe Bay and I would like a hearing on that bill. The bill was never heard! And there are other bills that aren't heard in this body too, and coordinated care is one bill. There are many things that we still need to work on in business and take care of business. Let the process work. Maybe it doesn't fit your needs the way you want to get it done, but I guarantee you that we will come up with something that I think everybody can be proud of and things can happen. It may not happen the way some people want it to happen, but that's the process. It's a give and take process. This body has 76 people from 76 different districts, personalities and backgrounds and we've got to decide what's good for the people of Hawaii, and compromise is what takes place. And that's what's going to happen on this bill and it's going to happen on Kaneohe Bay and other bills. That's what the legislative process was designed for.

"Mr. President, that's my response to my colleague from the windward side who is the Minority Leader. Thank you."

Senator Anderson then rose:

"Mr. President, ...

The Chair interjected:

"We will be moving on, Senator Anderson. You had an opportunity to speak. I gave the Majority Leader an opportunity to rebut. Let us move on to the order of business."

Senator Anderson responded:

"Then I'll write him a nasty letter. And thank you very much."

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 1553, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1553, S.D. 1, seconded by Senator Kanno and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1553, S.D. 1, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Senate Bill No. 1553 would provide for the exemption of extended care adult residential care homes and assisted living facilities from the certificate of need requirements.

"The amendments that were made to the bills by the House are technical and nonsubstantive."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1553, S.D. 1, and S.B. No. 1553, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," was placed on the calendar for Final Reading on Thursday, April 17, 1997.

S.B. No. 1631, S.D. 2 (H.D. 2):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 11, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1631, S.D. 2, seconded by Senator Kanno and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1631, S.D. 2, seconded by Senator Kanno.

Senator Chun Oakland explained:

"Senate Bill No. 1631, S.D. 2, H.D. 2 relates to allowing a qualified private non-profit corporation to contract with the state to develop policy recommendations on a coordinated early childhood education and care system, and to oversee the establishment of a community council in each county.

"The amendments that were made to the bills by the House are technical and nonsubstantive."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1631, S.D. 2, and S.B. No. 1631, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was placed on the calendar for Final Reading on Thursday, April 17, 1997.

S.B. No. 1385 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1385, seconded by Senator Sakamoto and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1385, seconded by Senator Sakamoto.

Senator Kawamoto then stated:

"Mr. President, on S.B. No. 1385 the House made some minor technical changes to the bill. The changes do not alter the substance or intent of this measure. The Office of Veterans Services is happy with the bill in its current form."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1385 and S.B. No. 1385, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," was placed on the calendar for Final Reading on Thursday, April 17, 1997.

S.B. No. 1766, S.D. 1 (H.D. 1):

Senator Kawamoto moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1766, S.D. 1, seconded by Senator Sakamoto and carried.

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.B. No. 1766, S.D. 1, seconded by Senator Sakamoto.

Senator Kawamoto then noted:

"On S.B. No. 1766, Relating to Public Safety and Internal Security, the House made some changes to the bill. However, these changes do not alter the substance or the intent of this measure. The House also made some minor technical changes to the bill."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1766, S.D. 1, and S.B. No. 1766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," was placed on the calendar for Final Reading on Thursday, April 17, 1997.

S.B. No. 1016 (H.D. 1):

Senator Solomon moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1016, seconded by Senator Ihara and carried.

Senator Solomon moved that the Senate agree to the amendments proposed by the House to S.B. No. 1016, seconded by Senator Ihara.

Senator Solomon then noted:

"Mr. President, the House amendment noted that the Farmers Home Administration no longer exists. It has been replaced by two newly created agencies within the United States Department of Agriculture, the Rural Development Agency and the Farm Service Agency. Mr. President, we agree with the amendment being that we do agree with the House to allow lease term extensions for ranchers who need to secure financing to improve their infrastructure to meet operational standards.

"Thank you, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1016 and S.B. No. 1016, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was placed on the calendar for Final Reading on Thursday, April 17, 1997.

#### APPOINTMENT OF CONFEREES

S.B. No. 26 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 26 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, co-chairmen, Metcalf, Slom as managers on the part of the Senate at such conference.

S.B. No. 37, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 37, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Bunda, Slom as managers on the part of the Senate at such conference.

S.B. No. 58, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 58, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, D., Metcalf, Slom as managers on the part of the Senate at such conference.

S.B. No. 147, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 147, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Ige, M., Anderson as managers on the part of the Senate at such conference.

S.B. No. 152, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 152, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., co-chairmen, Chumbley as managers on the part of the Senate at such conference.

S.B. No. 161, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 161, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Aki, Tam, Baker, Ige, D., co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

S.B. No. 202, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 202, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 208, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 208, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Taniguchi, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 251, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 251, S.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 252, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 252, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 257, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 257, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Chun Oakland, Kanno, Kawamoto as managers on the part of the Senate at such conference.

S.B. No. 262, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 262, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 263, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 263, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Levin, Metcalf, Baker, Ige, D., co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 375 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 375 and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, Fukunaga, co-chairmen, Tam as managers on the part of the Senate at such conference.

S.B. No. 388, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 388, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, Ige, D., co-chairmen, Ige, M., Metcalf, Slom as managers on the part of the Senate at such conference.

S.B. No. 426, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 426, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Ige, D., Anderson as managers on the part of the Senate at such conference.

S.B. No. 497 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 497 and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 538, S.D. 3 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 538, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fukunaga, co-chairmen, Ige, M., Ige, D., Slom as managers on the part of the Senate at such conference.

S.B. No. 623, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 623, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Tam as managers on the part of the Senate at such conference.

S.B. No. 633, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 633, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Kawamoto, Sakamoto, co-chairmen, Chumbley, Fernandes Salling, Iwase, Solomon, Slom as managers on the part of the Senate at such conference.

S.B. No. 727, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 727, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Baker, Chun Oakland, Kanno, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 817, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 817, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.B. No. 818, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 818, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., Matsunaga, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 843, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 843, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ige, M., Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 870, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 870, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Matsunaga, co-chairmen, Sakamoto, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 927, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 927, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Levin as managers on the part of the Senate at such conference.

S.B. No. 938, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 938, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Taniguchi, Levin, Ige, M., Anderson as managers on the part of the Senate at such conference.

S.B. No. 969 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 969 and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, M., Ige, D., Anderson as managers on the part of the Senate at such conference.

S.B. No. 989, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 989, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1018, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1018, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1032, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1032, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Fernandes Salling, co-chairmen, Chun Oakland as managers on the part of the Senate at such conference.

S.B. No. 1064, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1064, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1082, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1082, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam as managers on the part of the Senate at such conference.

S.B. No. 1089, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1089, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen,

Chun Oakland, Slom as managers on the part of the Senate at such conference.

S.B. No. 1113, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1113, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., Chumbley, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1267, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1267, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1285, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1285, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., Baker, Fernandes Salling, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

S.B. No. 1293, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1293, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1316, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1316, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1421, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1421, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Kanno, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1506, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1506, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, chairman, Kanno, Solomon, Fukunaga, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1535, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1535, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., Fukunaga, co-chairmen, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1554, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1554, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, co-chairmen, Sakamoto, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1581, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1581, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

S.B. No. 1599, S.D. 1 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1599, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Chumbley as managers on the part of the Senate at such conference.

S.B. No. 1624 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1624 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.B. No. 1625 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1625 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.B. No. 1628, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1628, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Metcalf, Kanno, Slom as managers on the part of the Senate at such conference.

S.B. No. 1636, S.D. 2 (H.D. 1):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1636, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, M., Ige, D., Slom as managers on the part of the Senate at such conference.

S.B. No. 1683, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1683, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, Fernandes Salling, Fukunaga, co-chairmen, Ige, D., Metcalf, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1773, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1773, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, Fukunaga, co-

chairmen, Tam as managers on the part of the Senate at such conference.

S.B. No. 1806, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1806, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Kawamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1874, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1874, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1879, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1879, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1951 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1951 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Kawamoto, Tam, Tanaka, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 20, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 20, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, Chumbley, Matsunaga, co-chairmen, McCartney, Slom as managers on the part of the Senate at such conference.

H.B. No. 33, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 33, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Kawamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 103, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 103, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 106, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 106, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 107, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 107, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 111, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 111, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 112, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 112, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 113, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 113, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 116, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 116, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Chumbley, Kawamoto, Matsunaga, co-chairmen, McCartney, Slom as managers on the part of the Senate at such conference.

H.B. No. 120, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 120, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 122, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 122, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Chun Oakland, Fernandes Salling, Fukunaga, Slom as managers on the part of the Senate at such conference.

H.B. No. 133, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 133, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Aki, Tam, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.



H.B. No. 139, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 139, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

H.B. No. 140, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 140, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 141 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 141 and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 147, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 147, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

H.B. No. 167, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 167, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 214 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 214 and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Kawamoto, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 233 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 233 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Chumbley, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 258 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 258 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 293, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 293, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Aki, Slom as managers on the part of the Senate at such conference.

H.B. No. 351, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 351, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, Kawamoto, Sakamoto, co-chairmen, Ihara, Levin, Slom as managers on the part of the Senate at such conference.

H.B. No. 371, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 371, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Chumbley, Matsunaga, co-chairmen, Baker, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 432, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 432, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, McCartney, Metcalf as managers on the part of the Senate at such conference.

H.B. No. 480, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 480, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 581, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 581, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 623 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 623 and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 631, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 631, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, Chumbley, Matsunaga, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 646, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 646, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 675, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 675, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 728, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 728, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 872 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 872 and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 912, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 912, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 931, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 931, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 971 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 971 and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 979, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 979, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Levin as managers on the part of the Senate at such conference.

H.B. No. 1006, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1006, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige,

D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1031, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1031, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1086, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1086, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1087, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1087, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1188, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1188, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1243, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1243, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam as managers on the part of the Senate at such conference.

H.B. No. 1244, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1244, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1247 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1247 and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Chumbley, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1250, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1250, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1292, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1292, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 1300, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1300, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1320 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1320 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Baker, Tam, Kawamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1367 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1367 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1385 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1385 and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1388, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1388, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1393, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1393, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Chumbley, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1395 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1395 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, co-chairmen, Chumbley, Kanno, Slom as managers on the part of the Senate at such conference.

H.B. No. 1410, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1410, H.D. 1,

and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1473 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1473 and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, Sakamoto, Chumbley, Matsunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1485, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1485, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1488, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1488, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Iwase, Solomon, co-chairmen, Baker, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1510 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1510 and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1539 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1539 and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1547, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1547, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Chumbley, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 1575 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1575 and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Chumbley, Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1582, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1582, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, Bunda, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1587, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1587, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, Bunda as managers on the part of the Senate at such conference.

H.B. No. 1591, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1591, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1610, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1610, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1618, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1618, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1619, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1619, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1624, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1624, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1625, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1625, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Tanaka, Taniguchi, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1638, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1638, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, McCartney,

Anderson as managers on the part of the Senate at such conference.

H.B. No. 1639, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1639, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Iwase, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1640, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1640, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1641 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1641 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Kawamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1646 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1646 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1648 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1648 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Ihara, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1650, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1650, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1654, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1654, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1655, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1655, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1656, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1656, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1657, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1657, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1660, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1660, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1664, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1664, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Taniguchi as managers on the part of the Senate at such conference.

H.B. No. 1675, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1675, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., Fukunaga, co-chairmen, Kanno, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1688, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1688, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1690, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1690, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Fernandes Salling, Fukunaga, Slom as managers on the part of the Senate at such conference.

H.B. No. 1694 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1694 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Taniguchi, Ige, M., Anderson as managers on the part of the Senate at such conference.

H.B. No. 1695, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1695, H.D. 2, and the request for a conference on the subject matter thereof,

the President appointed Senators Taniguchi, Tanaka, Fernandes Salling, Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1701, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1701, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, Iwase, Solomon, Fernandes Salling, Fukunaga, co-chairmen, Kawamoto, Slom as managers on the part of the Senate at such conference.

H.B. No. 1706, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1706, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Fernandes Salling, Fukunaga, co-chairmen, Baker, Levin, Kawamoto as managers on the part of the Senate at such conference.

H.B. No. 1715, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1715, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Chumbley, Matsunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1716, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1716, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1721, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1721, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Baker, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1724, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1724, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Chun Oakland, Kanno, Fernandes Salling, Fukunaga, co-chairmen, Levin, Sakamoto, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1738, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1738, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Chumbley, Slom as managers on the part of the Senate at such conference.

H.B. No. 1745, H.D. 2 (S.D. 2):





H.B. No. 1833 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1833 and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Levin, Kawamoto, Metcalf, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1836, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1836, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1837, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1837, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1838, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1838, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1841, H.D. 3 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1841, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Chun Oakland, Slom as managers on the part of the Senate at such conference.

H.B. No. 1842, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1842, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1860, H.D. 3 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1860, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, Ige, D., co-chairmen, Ige, M., Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 1863, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1863, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, D., Fukunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1904, H.D. 3 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1904, H.D. 3, and the request for a conference on the subject matter thereof,

the President appointed Senators Aki, Tam, Fukunaga, co-chairmen, Ige, D., Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1965, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1965, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, Matsunaga, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 1984 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1984 and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen, Fernandes Salling, Fukunaga, Slom as managers on the part of the Senate at such conference.

H.B. No. 2019, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2019, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Levin, Metcalf, Fukunaga, co-chairmen, Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 2202, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2202, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Baker, Ige, D., Fernandes Salling, co-chairmen, Slom as managers on the part of the Senate at such conference.

H.B. No. 2234, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2234, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Aki, Tam, co-chairmen, Ige, D., Ige, M., Taniguchi, Slom as managers on the part of the Senate at such conference.

H.B. No. 2305 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2305 and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2308, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2308, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Matsunaga, Chumbley, co-chairmen, Sakamoto, Anderson as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:49 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 17, 1997, in memory of the late Mrs. Deolinda Borge.



## FIFTY-THIRD DAY

Thursday, April 17, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Bruce Dusseault, The National Baha'i Center, after which the Roll was called showing all Senators present with the exception of Senator Matsunaga who was excused.

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

Senator Taniguchi, in celebration of Outrigger Hotels and Resorts' 50th Anniversary, introduced Jean Rolles, Pat Kelley, Bitsy Kelley, Colleen Heyer, Perry Sorenson, Barry Wallace, Mildred Courtney and Tony Del Piano.

Senator Kawamoto then introduced and congratulated Lieutenant General William M. Steele and welcomed him as the Pacific's new Commanding General of the United States Army. Accompanying General Steele was his wife, Pamela.

At this time, President Mizuguchi invited General Steele to address the members of the Senate and the audience and appointed Senators Kawamoto and Sakamoto to escort him to the rostrum.

General Steele addressed the members of the Senate and their guests as follows:

"Senate President Mizuguchi, Senator Kawamoto, other distinguished Senators of the Hawaii State Senate, it's really our privilege to be here with you today. I thank you for the recognition of my family and of the United States Army, but more important, I thank you for the warm welcome that you have extended to us in the 'Spirit of Aloha' and in the 'Spirit of Ohana.'

"We are very, very happy to be in Hawaii. We feel that we are honored to have a chance to live in your great state. Pam and I have moved 25 times in 30 years. We've been in many different places around the world and Pam, I think, has coined it best and said it best when she said that when we arrived in Hawaii late last year she finally, finally, has found the place where she was born to live. And I agree with her. It is a wonderful place. We are really privileged to live in your great state.

"I also have the honor of representing the 70,000 army family members that live in this great state. They are active duty soldiers; they are reserve component soldiers; they are national guard soldiers; all serving in the State of Hawaii, and they bring with them family members. They bring with them concern for the community, the same concern for the community that you have, and the same concern for this state that you have. We also have a large retirement community that lives here in Hawaii -- all started and served their time in the United States Army, all tolled about 70,000.

"We think that 70,000 members of the United States Army community in Hawaii are good members of the community and certainly the active component part of that community tries to be good neighbors and also good members of your community and state. It's been that way for almost 100 years since the United States Army has been in Hawaii. And I can pledge to you that during my tenure and the tenure of my successors that we are committed to being good members of this state and good neighbors in the local community where our children and our families live, where they go to school, where they attend church services, and where they work and labor in the communities.

"So, thank you again for your welcome. Thank you again for your aloha. And we are privileged again to be able to speak to you today and be in these chambers. Aloha and mahalo."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

## HOUSE COMMUNICATION

Hse. Com. No. 816, informing the Senate that the Speaker on April 16, 1997, added Representative Garcia as a co-chairman and Representatives Chang and Meyer as additional managers on the part of the House at the conference on S.B. No. 286, S.D. 2 (H.D. 2), was read by the Clerk and was placed on file.

## STANDING COMMITTEE REPORTS

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1715) recommending that H.C.R. No. 59 be adopted.

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the report of the Committee was adopted and H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO CONVENE A WHITE HOUSE CONFERENCE ON CHILDREN AND YOUTH IN 1998, WITH THE THEME 'IT TAKES A VILLAGE TO RAISE A CHILD,'" was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1716) recommending that the Senate advise and consent to the nominations of PETER FRITZ, LOURDES P. MUGAS, SHARON SHORE, ANNA MARIE SPRINGER, STEPHEN G. LARACUENTE, JEAN SANTOS and SARAH E. POTTER to the State Advisory Council on Rehabilitation, in accordance with Gov. Msg. No. 223.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1716 and Gov. Msg. No. 223 was deferred until Friday, April 18, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1717) recommending that the Senate advise and consent to the nominations of WARREN G. HAIGHT, ANTONE KAHAWAIOLAA JR., AGNES R. NAVARRO, SHIMEJI KANAZAWA, CAROL KIKKAWA-WARD and BEVERLY C. WONG to the Policy Advisory Board for Elder Affairs, in accordance with Gov. Msg. No. 241.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1717 and Gov. Msg. No. 241 was deferred until Friday, April 18, 1997.

## ORDER OF THE DAY

## FINAL READING

S.B. No. 1016, H.D. 1:

On motion by Senator Solomon, seconded by Senator Iwase and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1016 and S.B. No. 1016, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Matsunaga).

S.B. No. 1385, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1385 and S.B. No. 1385, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE WAR MEMORIALS AND VETERANS' CEMETERIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Matsunaga).

S.B. No. 1553, S.D. 1, H.D. 1:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1553, S.D. 1, and S.B. No. 1553, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Matsunaga).

S.B. No. 1631, S.D. 2, H.D. 2:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1631, S.D. 2, and S.B. No. 1631, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Matsunaga).

S.B. No. 1766, S.D. 1, H.D. 1:

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1766, S.D. 1, and S.B. No. 1766, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki, Matsunaga).

**RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 18, H.D. 1	Committee on Health and Environment
No. 40	Committee on Economic Development
No. 44	Committee on Economic Development
No. 48, H.D. 1	Committee on Transportation and Intergovernmental Affairs
No. 72	Committee on Economic Development
No. 125, H.D. 1	Committee on Health and Environment
No. 168, H.D. 1	Committee on Human Resources
No. 178	Committee on Health and Environment

No. 206, H.D. 2 Committee on Government Operations and Housing

No. 250, H.D. 1 Committee on Health and Environment

No. 257, H.D. 2 Committee on Economic Development

Senator Sakamoto rose on a point of personal privilege and said:

"I rise on a point of personal privilege, Mr. President.

"I have two points. Firstly, I'm extremely relieved that the House and Senate conferees reached an agreement on H.B. Nos. 117 and 118, and I'd like to commend the Senate conferees and House conferees for their hard work in reaching these agreements.

"And our courts have created this mess by their reckless, judicial activism and the issue of same-sex marriage has been a divisive issue, divided this body, divided this community. For four years the Legislature has struggled with the issue of same-sex marriage, but at last an agreement has been reached and we have something we can give the voters to decide on. So with this constitutional amendment I believe we have taken a small step towards restoring people's faith in our government.

"On the second point, Mr. President, on the issue I raised yesterday on coordinated care, Act 234, where this body had passed legislation and the study was made but no rules came forward. I'd like to ask leadership to address that issue in the upcoming conference committee -- the issue of changing the date so that we have dates that are in the future, not in the past, and for certain we can act on something, and create some sort of framework so that in the community, the people who have been involved with this issue have, for certain, something that insures that in the future there will be action by this body, Mr. President.

"Thank you."

Senator Solomon also rose on a point of personal privilege as follows:

"Mr. President, I just would like to speak in support of the previous speaker. I, likewise, was very happy to read in the newspaper of the resolution of the same-sex marriage issue. However, I think I'm going to reserve my comments until I see the bill in its formal draft. I'm very happy that we were able to come to some agreement.

"I, too, Mr. President, in regards to the previous speaker's remarks on the second point, feel that the leadership should look at the statute. I was a part of that negotiation, Mr. President, and at that time Senator Milton Holt was the shepherd for the Senate. And, as you know, Mr. President, this has been a burning issue in this Legislature for over ten-plus years. I think that the compromises, especially when it came to the dates, was a very critical, critical point to the legislation because that's where we were able to give people some kind of relief. But unfortunately, the dates as stated in the statute, in the act, have been disregarded. I don't know by whom, whether it's the DLIR, the insurance commissioner, I don't know who it is, but whoever is responsible, Mr. President, I feel that at least the dates should be repealed and appropriate dates put into the act so that we can send a very strong message to the small businesses and to those who are affected by this legislation to tell them that, yes, we are serious in resolving this problem; yes, we are committed to come up with alternative recommendations; and yes, we are serious in promulgating rules. And I feel, Mr. President, that is a very appropriate request.

"Thank you very much."

Senator McCartney rose on a point of personal privilege as follows:

"Mr. President, I'd like to thank the Senator from Moanalua and the Senator from Kohala for those statements and I think that those are very valid concerns that they are bringing up. I think we need to take that under advisement and work with them and with the co-chairs. I think they are important points and raise some questions that are really unanswered yet that the two Senators brought up. And I thank them for those comments and we will be taking those under advisement."

Senator Slom, rising on a point of personal privilege, then said:

"Mr. President, I rise on a point of personal privilege.

"It was very nice to honor all the good folks at Outrigger and the Outrigger ohana today, and I know that we all share in their success and we're very happy with the contributions they made to our community over the past 50 years.

"Unfortunately, Mr. President, again it is my duty to rise and speak about those businesses that we have lost again and these are just within the last two weeks since I gave you my last obituary report because for them it's too late. They won't be honored here at the Senate; they won't get any leis; they won't get any certificates; so let me read the list to you, Mr. President:

Victoria Enterprises in Wahiawa; Candy Snackshop and Washerette, Wahiawa; B&B Contractor Sales, Inc., Kahului, Maui; Hawaiian Pacific Design, Wahiawa; Brown Bookkeeping Service, Kaneohe; Lahaina Pool Service, Maui; Latitude Design Group, Honolulu; Excellent Desktop Publishing & Purple Palm Textile Arts, Kailua Kona on the Big Island; Lani's Upholstery in Kapaa, Kauai; Super Screen Hawaii and More or Less Beachware in Kahuku; R & J Paper Products in Kealahou; Pacific Vegetarian Cafe in Honolulu; Encore Consignment Boutique in Lahaina; and D Media in Honolulu.

"Notice, Mr. President, in just two weeks another 15 bankruptcies in our state and they affect every island; they affect everyone's pocketbook; they affect every family and employment. But add to the bankruptcy total, also, the following: Queens Medical Center is cutting out hundreds of vacant positions and letting almost one hundred warm bodies go. The local office of Price Waterhouse, one of the 'big six' accounting firms in the United States is closing its Hawaii office due to bad economic conditions, or, as I would say, bad political conditions. And note, Mr. President, that Hawaii will now be the only state in the Union that will not have all of the 'big six' accounting firms represented in the state. Also, another 'mom and pop,' The Gift Box in downtown Honolulu is closing and the proprietor said it just doesn't make any sense anymore to try and make ends meet because of the taxes and the high cost.

"Mr. President, another two weeks, another 15 names ... I think it's rally time. We've got till April 29. There are still things that we can do. We've gotten past the hurdle for same-sex marriage, but let's do what we were sent here to do. Let's improve our economy! Let's improve our business climate! Let's provide more take-home pay! Let's make Hawaii work again!

"Thank you, Mr. President."

#### RECONSIDERATION OF ACTION TAKEN

S.B. No. 226, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 226, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 226, S.D. 1, seconded by Senator D. Ige.

Senator Baker noted:

"Mr. President, S.B. No. 226 amends the education and licensure requirements for architects. The House corrected a couple of dates in the draft and also provided that the board would have an option of approving a similar form of training program in addition to the one specified in the Senate draft. The committee has no disagreement with that particular amendment made by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 226, S.D. 1, and S.B. No. 226, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHITECTS," was placed on the calendar for Final Reading on Friday, April 18, 1997.

S.B. No. 1506, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 11, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1506, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1506, S.D. 1, seconded by Senator D. Ige.

Senator Baker explained:

"The subject of S.B. No. 1506 is the Hawaii Employers' Mutual Insurance Company. The House included clarifying amendments requested by HEMIC but too late for Senate consideration. The amendment clarifies HEMIC's ability to make rate filings. This provision will make HEMIC much more effective for its employer members. The committee has no objection to that amendment made by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1506, S.D. 1, and S.B. No. 1506, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," was placed on the calendar for Final Reading on Friday, April 18, 1997.

#### APPOINTMENT OF CONFEREES

S.B. No. 727, S.D. 2 (H.D. 1):

The President discharged Senators Kanno and Chun Oakland as managers and added them as co-chairmen on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 727, S.D. 2 (H.D. 1).

S.B. No. 1891, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1891, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Taniguchi, Tanaka, co-chairmen, Chumbley, Fukunaga, Ihara, Slom as managers on the part of the Senate at such conference.

H.B. No. 143, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 143, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes

Salling, Fukunaga, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 454, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 454, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 636, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 636, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Chumbley, Matsunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 777, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 777, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., Baker, co-chairmen, Aki, Kanno, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 780, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 780, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., Baker, co-chairmen, Aki, Solomon, Anderson as managers on the part of the Senate at such conference.

H.B. No. 793, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 793, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., Baker, co-chairmen, Aki, Solomon, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1287, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1287, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1309, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1309, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Bunda, Ige, D., Ige, M., Baker, co-chairmen, Aki, Matsunaga, Solomon, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1370, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1370, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Fernandes Salling, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1593 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1593 and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1660, H.D. 2 (S.D. 1):

The President discharged Senator Ige, M. as a manager and added him as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1660, H.D. 2 (S.D. 1).

H.B. No. 1686, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1686, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1689, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1689, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Tam, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1713, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1713, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Fernandes Salling, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1732, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1732, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Fernandes Salling, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1796, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1796, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1797, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1797, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Bunda, Fernandes Salling, Fukunaga, co-chairmen, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1843, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1843, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Metcalf, Levin, co-chairmen,

Tam, Slom as managers on the part of the Senate at such conference.

H.B. No. 1857, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1857, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Matsunaga, Chumbley, Fernandes Salling, Fukunaga, co-chairmen, Tanaka, Anderson as managers on the part of the Senate at such conference.

H.B. No. 2207, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2207, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Iwase, Solomon, Fernandes Salling, Fukunaga, co-chairmen, Ihara, Tanaka, Anderson as managers on the part of the Senate at such conference.

#### **ADJOURNMENT**

At 12:17 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., Friday, April 18, 1997.

## FIFTY-FOURTH DAY

Friday, April 18, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:40 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend John Strickland, Unity Church of Hawaii, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senator Tam introduced Archie Loo and Curtis Nishioka, treasurer and coordinator, respectively, of the Hawaii Career and College Fair.

Senator Sakamoto then introduced several representatives from The National Association of Women in Construction and The Painting and Decorating Contractors Association of Hawaii.

Senator Solomon, on behalf of Senator Anderson and herself, introduced Kumu Hula Chinky Mahoe and his halau, Halau Hula 'O Kawaiili'ula, and congratulated them on their men's division overall title at the 1997 Merrie Monarch Festival.

Senator Anderson introduced Kehaulani Enos of Halau Mohala 'Ilima, winner of the coveted title of Miss Aloha Hula at the 34th Annual Merrie Monarch Festival. Accompanying Miss Enos was Kumu Hula Mapuana de Silva.

Senator Matsunaga, on behalf of President Mizuguchi, congratulated Kumu Hula "Aunty Mae" Loebenstein and the members of her halau, Ka Pa Hula 'O Kauānoe 'O Wa'ahila, on their overall win and accomplishments at the 1997 Merrie Monarch Festival. Aunty Mae, who could not be present at this time, was represented by her granddaughter, Maelia Loebenstein, and daughter, Kawehi Stewart. Also introduced were Ulalia Woodside, Jaylin Winchester, Anela Akana, Shirley Tesoro and Hiwa Vaughan, all members of Aunty Mae's halau.

Senator Slom introduced Dottie Nahale and congratulated her along with her employer, Foodland Hawaii Kai, for being recognized by Vocational Rehabilitation and Services for the Blind as an outstanding Employer for 1996.

At 12:00 o'clock noon, the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:08 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 321 and 322) were read by the Clerk and were placed on file:

Gov. Msg. No. 321, dated March 17, 1997, transmitting the 1997 Report on the Hawaii Enterprise Zones Program prepared by the Department of Business, Economic Development, and Tourism, Business Services Division, pursuant to Chapter 209E, HRS.

Gov. Msg. No. 322, informing the Senate that on April 17, 1997, he signed into law House Bill No. 1839 as Act 29, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, CHILD AND ADOLESCENT MENTAL HEALTH DIVISION."

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 817 to 823) were read by the Clerk and were placed on file:

Hse. Com. No. 817, informing the Senate that the Speaker on April 15, 1997, added Representative Yamane as a manager on the part of the House at the conference on H.B. No. 581, H.D. 1 (S.D. 1).

Hse. Com. No. 818, informing the Senate that the Speaker on April 15, 1997, discharged Representative Pendleton and appointed Representative Marumoto as a manager on the part of the House at the conference on H.B. No. 979, H.D. 2 (S.D. 1).

Hse. Com. No. 819, informing the Senate that the Speaker on April 15, 1997, discharged Representative Goodenow and appointed Representative Tom as co-chairman on the part of the House at the conference on H.B. No. 1138, H.D. 1 (S.D. 1).

Hse. Com. No. 820, informing the Senate that the Speaker on April 15, 1997, added Representative Herkes as a co-chairman and Representative Ahu Isa as a manager on the part of the House at the conference on H.B. No. 1650, H.D. 1 (S.D. 1).

Hse. Com. No. 821, informing the Senate that the Speaker on April 15, 1997, discharged Representative Lee and appointed Representative Chang as a manager on the part of the House at the conference on H.B. No. 1797, H.D. 1 (S.D. 2).

Hse. Com. No. 822, informing the Senate that the Speaker on April 17, 1997, added Representative Ahu Isa as a manager on the part of the House at the conference on H.B. No. 1320 (S.D. 1).

Hse. Com. No. 823, informing the Senate that the Speaker on April 17, 1997, added Representative Garcia as co-chairman and Representatives Chang and Meyer as managers on the part of the House at the conference on H.B. No. 1604, H.D. 1 (S.D. 1).

## CONFERENCE COMMITTEE REPORTS

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 117, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 117, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and H.B. No. 117, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO MARRIAGE," was deferred for a period of 48 hours.

By unanimous consent, action on Conf. Com. Rep. No. 1 and H.B. No. 117, S.D. 1, C.D. 1, was deferred until Tuesday, April 29, 1997.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 118, H.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 118, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 118, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES," was deferred for a period of 48 hours.

## STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1718) recommending that the Senate advise and consent to the nominations of the following:

SCOTT H. DUNN and ARTHUR C. TOKIN to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 237;

GEORGE R. RODRIGUES, JR., and CLIFFORD LABOY to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 242;

STEPHEN Y.H. KWOCK to the State Board of Public Accountancy, in accordance with Gov. Msg. No. 255;

TSUKASA MURAKAMI, R. P. BUCK SCHIPA, CHARLIE T. RODGERS, GERARD SAKAMOTO and EDGAR M. YOKOYAMA to the Contractors License Board, in accordance with Gov. Msg. No. 257;

JAN A. NAKAHARA, MITZI C. H-YAMAMOTO and KENNETH R. JOYNER to the Board of Cosmetology, in accordance with Gov. Msg. No. 259;

MODESTA S. GAERLAN-TOKUNAGA, D.D.S., MARTIN K. OISHI, D.D.S., JANEEN-ANN A. OLDS and CYNTHIA YAMADA to the Board of Dental Examiners, in accordance with Gov. Msg. No. 260;

CAROLEE C. KUBO, JANIS C. AKUNA and STEPHEN E. GOMES to the Board of Directors of the Hawai'i Hurricane Relief Fund, in accordance with Gov. Msg. No. 263; and

JANE FUKUNAGA, CHERYL K. HETHERINGTON, JANICE S. HIGASHI and THOMAS L. WARLING to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1718 and Gov. Msg. Nos. 237, 242, 255, 257, 259, 260, 263 and 274 were deferred until Monday, April 21, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1719) recommending that H.C.R. No. 168, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Chun Oakland, seconded by Senator McCartney and carried, the report of the Committee was adopted and H.C.R. No. 168, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF PROVIDING CONSERVATION AND RESOURCES ENFORCEMENT OFFICERS, DEPUTY SHERIFFS, AND LIQUOR COMMISSION INVESTIGATORS WITH CLASS A MEMBERSHIP WITHIN THE EMPLOYEES' RETIREMENT SYSTEM," was adopted.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1716 (Gov. Msg. No. 223):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1716 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the State Advisory Council on Rehabilitation of the following:

PETER FRITZ, terms to expire June 30, 1997 and June 30, 2000;

LOURDES P. MUGAS, SHARON SHORE and ANNA MARIE SPRINGER, terms to expire June 30, 1998; and

STEPHEN G. LARACUENTE, JEAN SANTOS and SARAH E. POTTER, terms to expire June 30, 1999,

seconded by Senator Ihara.

Senator Chun Oakland made the following request:

"Mr. President, I would like to ask permission to have language inserted into the Journal for Governor's Message 223."

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

"I would like to acknowledge the gubernatorial nominees who have volunteered their time to serve on the State Advisory Council on Rehabilitation.

"The eight nominees to the State Advisory Council on Rehabilitation have dedicated themselves to improving the lives of the physically challenged here in Hawaii. They will bring to the advisory board an unmeasurable level of commitment and a wealth of experience.

"Mr. Peter Fritz is an expert in the field of accessibility to persons with disabilities in the State of Hawaii. He has served as Coordinator of the Access Unit with the State Commission on Persons with Disabilities. Currently, as an associate with the Honolulu firm Watanabe, Ing & Kawashima, he advises clients regarding the American with Disabilities Act.

"Ms. Lourdes Mugas is an independent living specialist at the Hawaii Centers for Independent Living. For the last seven years, she has helped the disabled establish and maintain independent lives.

"Ms. Sharon Shore has used her art background to create therapeutic classes for individuals suffering from Alzheimer's Disease. She is also a member of the State Independent Living Council.

"Ms. Anne Marie Springer has been a board member of the Easter Seals Society of Hawaii and Access Aloha Travel, an organization that provides travel services for the disabled.

"Mr. Stephen Laracuento is a teacher at the Hawaii Center for the Deaf and the Blind. He is treasurer and board member of the Hawaii Services on Deafness, treasurer of the Aloha State Association of the Deaf, chairperson of the Hawaii Center for the Deaf and Blind Advisory Council, and a member of the Rehabilitation Advisory Council.

"Ms. Jean Santos is a founding partner and vice president of Business Consulting Resources. She has been Chair of the Chamber's Small Business Council and on its Board of Directors and Executive Committee. Her expertise lies in all areas of business management and consulting.

"Finally, Ms. Sarah Potter is the Director of Education and the Community Action Program Coordinator for the Protection and Advocacy Agency of Hawaii. She has extensive experience in advocacy programs in mental health.

"All of these nominees have selflessly given of themselves for the betterment of the State of Hawaii. I applaud their efforts and thank them for taking on the tough challenges facing all the residents of Hawaii."

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

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kanno).

Stand. Com. Rep. No. 1717 (Gov. Msg. No. 241):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1717 be received and placed on file, seconded by Senator Ihara and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elder Affairs of the following:

WARREN G. HAIGHT, term to expire June 30, 1999; and

ANTONE KAHAWAIOLAA JR., AGNES R. NAVARRO, SHIMEJI KANAZAWA, CAROL KIKKAWA-WARD and BEVERLY C. WONG, terms to expire June 30, 2001,

seconded by Senator Ihara.

Senator Chun Oakland then made the following request:

"Mr. President, I would like to ask permission to have language inserted into the Journal for Governor's Message 223."

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

"I would like to acknowledge the gubernatorial nominees who have volunteered their time to serve on the Policy Advisory Board of Elderly Affairs (PABEA).

"In the next twenty years, the elderly population of Hawaii will dramatically increase. If Hawaii is to position itself to meet the needs of this growing population, it will require leaders who possess visionary skills to set goals for the future. Often, in order to see the future, one must have a clear understanding of the past. Together, these six nominees represent a total of over one hundred years of experience with the issues affecting the elderly.

"Mr. Antone Kahawaiolaa, Jr. served for over 25 years with the ILWU as a business agent and representative. During this time, he acted as an advisor for the ILWU State Pensioner Association. Since his retirement, Mr. Kahawaiolaa has remained active with the ILWU by representing the union as the vice-president of the Hawaii State Council of Senior Citizens.

"Ms. Agnes Navarro has been volunteering in her community for over 30 years. Her work ranges from organizing community improvement projects with the Lanakila Community Association to dealing with public housing issues as a member of the Hawaii Housing Authority Public Housing Concerns Committee. She also takes the time to serve the needs of the homebound elderly as a member of the Retired & Senior Volunteer Program.

"Mr. Warren Haight is President of Warren G. Haight & Associates, Inc., a real estate company in Honolulu. He was the Chair of the Board and President of Oceanic Properties, Castle and Cooke Land Company and vice president of Castle and Cooke, Inc.

"Mrs. Shimeji Kanazawa has been called the 'Mother of Aging Programs in Hawaii' by her colleagues. She was first appointed to the Commission on Aging in 1968 by Governor John Burns. Since then, she has served under all succeeding governors as a member and chair of both COA and PABEA. She continues to be a key player both locally and nationally in helping to form policy towards the elderly.

"Ms. Carol Kikkawa-Ward is the President and Chief Officer of Interim Healthcare Services of the Pacific, Inc. She has been

an integral part of PABEA serving as its Chairwoman for four years. She was also appointed to Governor John Waihee's Blue Ribbon Panel on the Future of Healthcare in Hawaii.

"Finally, Ms. Beverly Wong has worked for the Department of Transportation of the State of Hawaii. She is active in the Boy Scouts of America, Friends of Salt Lake Library, and the Salt Lake Community Association.

"All of these nominees have selflessly given of themselves for the betterment of the State of Hawaii. I applaud their efforts and thank them for taking on the tough challenges facing all the residents of Hawaii."

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

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kanno).

### FINAL READING

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

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

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Kanno).

S.B. No. 1506, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1506, S.D. 1, and S.B. No. 1506, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

### RE-REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The Chair re-referred the following House concurrent resolutions that were received:

House Concurrent Resolution	Referred to:
No. 147 Affairs	Committee on Water, Land, and Hawaiian
No. 153, H.D. 1	Committee on Economic Development
No. 215, H.D. 1 Affairs	Committee on Water, Land, and Hawaiian
No. 259, H.D. 1 Affairs	Committee on Water, Land, and Hawaiian

### MISCELLANEOUS COMMUNICATION

Misc. Com. No. 5, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, dated April 17, 1997, transmitting the written notice given to the governor of the final form of H.B. No. 117, S.D. 1, C.D. 1, entitled: "PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO MARRIAGE," in accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, was read by the Clerk and was placed on file.



Senator Solomon rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I just want to give some recognition to the Office of Hawaiian Affairs for organizing the vigil that the Hawaiian people will be participating in. I want to thank them very much because any time we can encourage groups to come to the Legislature to participate in the democratic process would be a big plus for all of us.

"However, Mr. President, I just want to mention to OHA and my fellow colleagues that my co-chairman and I did have an opportunity to visit with the governor and we relayed the message to him that the Public Land Trust belongs to the Legislature. It was given to us by the constitution and it is this body that has to make the final decisions on anything pertaining to the Public Land Trust which includes the ceded lands.

"I reminded the governor that it's commendable that the chairman of the Office of Hawaiian Affairs is negotiating and talking with the executive, but the bottom line is, before anything can be ratified it has to be sanctioned by us. So it would behoove the Office of Hawaiian Affairs to understand the process and to realize that they do need a bill for whatever they envision as a possible settlement for the Hawaiian people, and of course, for the people of Hawaii.

"So with that, Mr. President, thank you very much."

Senator Taniguchi, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, on H.C.R. No. 153, and the Chair granted the waiver.

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

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

Senator Anderson then rose and said

"Mr. President, the reason I stood is I wanted to go along with what Senator Malama had originally said. I sat in on that committee, but yesterday in the Housing Committee we had a resolution for the Waimanalo groups to originally be able to buy their land. However, the land is ceded, and yet the argument from the department was that the AG had some concerns with the resolution allowing the people to stay there right now and, in fact, they were in court over the ceded lands. There are a lot of problems and yet they wanted to go ahead and demolish the homes, displace those people, and bring them back later. The people that are on the land, as far as we felt, were going to be able to sit there and I agree with the AG -- they are in court. These lands are encumbered. The only way the federal government can get involved is on unencumbered lands. And they said things had more or less changed now. Thirty years ago they were unencumbered. Well, those are trust lands and we are the ones to make that decision -- it is not the federal government -- we have to sit down and make decisions. It does go to court. You cannot sell. You cannot go ahead and do anything.

"And I quite agree with the Senator and those are the problems that we are having with the administration. We're having it with the Department of Hawaii Housing because they don't agree with us. And I just wanted to bring it forth that I agree with you wholeheartedly, Senator Solomon.

"Thank you very much, Mr. President."

Senator Matsunaga rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, April 13 through 19 is the National Crime Victims' Rights Week, and this year's theme is Let Victims' Rights Ring Across America. I know we in the Senate are very much concerned about crime victims' rights. We passed out a constitutional amendment giving victims rights, including the right to restitution, and I do hope the House considers that bill next session.

"I would like to insert some remarks into the Journal, Mr. President."

The Chair having so ordered, Senator Matsunaga's remarks follow:

"TRIBUTE TO VICTIMS AND SURVIVORS OF CRIME  
'LET VICTIMS' RIGHTS RING ACROSS AMERICA'  
KEYNOTE ADDRESS  
SENATOR MATT MATSUNAGA

"As you know, we are now in the middle of National Crime Victims' Rights Week. This is a special time to recognize and honor the memory of victims of crimes. It is a time to recognize their families and friends. It is also a time to recognize the countless professionals and volunteers who believe victims' rights are worth fighting for, such as the victim advocates, concerned justice officials, clergy, medical and mental health workers, educators, policymakers, family, friends, and others who are dedicated to the cause of promoting victims' rights.

"I have worked hard on this issue not only because of my belief that it is important to the people and because of my duties as a legislator, but also because I feel it is important to my family. I have two very young children and they have helped me become more acutely aware of how important it is to protect the well being of the next generation. Let's make this world a better place and spare our children from violent crime. My family is in the fight against crime, and I have always been sympathetic to victims because my wife is a prosecutor. My father was also a prosecutor before he became a Congressman.

"And we are not alone in our belief that this issue is very important. President Clinton spoke strongly in favor of constitutional rights for crime victims, stating that victims 'should be at the center of the criminal justice process, not on the outside looking in.' He also said that criminals have protected rights, and the press has protected rights, but there has never really been much thought given to victims' rights. Until now. Now, the work and voice of the many organizations dedicated to victims' rights has been noticed, and both the executive branch and the legislative branch of our federal government are working to establish rights for victims. This is great, but the effort to help crime victims should not be limited to federal law. There is much that each of us can do to help crime victims. You can volunteer to help victims. They need help and you can provide it.

"If you know someone who has been touched by crime, offer them your support, an ear to listen, a shoulder for comfort. If you offer to ease their pain, your concern can be a lifeline of hope.

"If you hear or see or read about injustice, write a letter to the editor and let your voice be heard. A community's silence about justice for victims contributes to an injustice that affects us all. Let's not be quiet about this issue. Support for victims needs to be heard.

"One of the great symbols of justice and fairness in our nation is the Liberty Bell. We all know that it is a treasured relic of the early days of American independence, rung to announce the adoption of the Declaration of Independence in 1776. It is so important a symbol that in downtown Honolulu alone, there are two replicas. One is right here and the other is near the Father Damien statue in front of the State Capitol.

"The inscription on the bell, 'Proclaim liberty throughout all the land unto all the inhabitants thereof,' comes from the Bible and the relevance of this message still rings true today. Liberty and justice for all means justice for crime victims too.

"It is not widely known that the original name of the bell was the 'Old State House Bell.' The name 'Liberty Bell' came about when abolitionists began referring to it that way in 1839. The name Liberty Bell was created because people wanted the bell itself to stand for doing the right thing so that we can be stronger as a nation, a community, and even as individuals.

"You may have seen on the news how the crime problem has recently been worsening across the world. In Poland and Japan the news is that crime is on the upswing, and juvenile gangs are growing everywhere. Hawaii can set the example by providing victims' rights. Hawaii has been a leader in the past. For example, we were the first to add an Equal Rights Amendment to our constitution. We can set the example again by providing victims' rights. I believe in the philosophy 'think globally and act locally.' We need to do all that we can because when one member of our community is victimized, we all suffer.

"So as you consider this, and your gaze turns to the Liberty Bell, resolve to symbolically ring it; resolve to send a message. Continue to spread the word so that change can occur. More people need to know about the fight for crime victims. People don't currently know enough because they are unaware. Previously there had been only one sad way to learn about the lack of justice for victims: become a victim. But a great coalition of victims' service organizations have provided other ways to learn. I commend these organizations for their efforts to care for the victims and to get out the message to the public at large that we need to organize to promote change. The Domestic Violence Legal Hotline, Mothers against Drunk Driving, The League of Women Voters, Parents of Murdered Children, are just a few of the many service organizations that have worked so hard. We can all do our part in caring and helping others get involved.

"Together we have made great progress in the fight against crime. And we can keep the momentum going. While lesser issues receive more attention in the media and elsewhere, we were able to push significant legislation in the Senate. We were able to focus on keeping criminals off the streets, providing a constitutional amendment establishing rights for victims, and addressing drug, theft, domestic violence and other crimes. And this focus is urgently needed. In Hawaii there is one murder every 7 days. There is a rape or arson every day. There is a robbery or aggravated assault every 6 hours, and there is a burglary every half hour. There is some kind of theft every 8 minutes.

"Public outcry for criminal justice reform and concerns for public safety has compelled us to consider sentencing reforms to provide certainty of consequences for serious criminal behavior and repeat felony offenders. The Senate Judiciary Committee supports conforming Hawaii sentencing provisions with federal law that requires felons to serve at least 85 percent of their sentences.

"But what we really need is more compassion for the victims. That is why I have worked to establish rights for victims. Too often, the interests of justice have been heavily weighted on concern for the offenders' rights. The rights of victims must also be acknowledged and protected during their participation in what has become an increasingly complex criminal justice process.

"I was proud to introduce an amendment to the Hawaii State Constitution to embody rights into the Constitution itself. The Constitution would then ensure that victims or surviving family members shall have the rights to:

- 1) courtesy, fairness, respect, dignity, and privacy;

- 2) be protected from the accused;
- 3) be notified of court and paroling authority proceedings;
- 4) be notified of final dispositions of court cases;
- 5) be present at court proceedings;
- 6) be heard at sentencing proceedings;
- 7) be consulted about plea agreements; and
- 8) be awarded restitution from the offender.

"In support of the provisions of the constitutional amendment, I have also authored a measure which will ensure that crime victims receive restitution, by establishing a system of restitution fines to be used for compensation payments. Many crime victims and their families suffer economic loss as a result of the defendant's conduct. Restitution should include payment for stolen or damaged property, medical expenses, wages or profit loss, and funeral and burial expenses.

"I believe that all convicted offenders in the state should pay a restitution fine, however nominal. Among other things, this measure will require that restitution fines be ordered regardless of the defendant's present ability to pay. This movement towards holding offenders accountable and requiring them to repay their debt not just to society, but to the victim is consistent with the original legislative intent of restitution established in our Hawaii penal code.

"I also believe that criminal and penal code legislation is often drafted only from the perspective of the defendant or the prosecutor. We often forget or are ignorant of the needs and the perspective of the victim. As Senate Judiciary Co-Chair, I am committed to ensuring that the criminal bills drafted and supported by the Committee focus on the victim or the innocent party.

"For example, a number of the domestic violence bills I have authored create more legal protections for battered women and children, rather than focusing solely on increasing penalties for batterers. One such measure will allow a victim of domestic violence to obtain a restraining order for an indefinite period of time, rather than for a time specific. Another measure will create a period of safety for the person protected by a restraining order, a time in which law enforcement will ensure that there is no contact between the victim and the batterer.

"In addition to establishing victims' rights we are trying to cut down on the number of victims. One of the major causes of all crime is drugs. Violence and theft stem from drug trafficking. Although the manufacture and distribution of illegal drugs such as 'ice' has reached epidemic proportions in Hawaii, law enforcement officials lack powerful sanctions under current law. The manufacture of 'ice' in clandestine laboratories pose a significant public safety hazard not only because of the increasing numbers of these labs being discovered by law enforcement, but also due to the potential for injury-causing explosions which may harm innocent people. I am committed to establishing an aggressive policy for penalizing the manufacture, sale, and distribution of dangerous drugs by making the manufacturing a dangerous drug as a class A felony and imposing stiffer mandatory sentences for the distribution of 'ice' to minors.

"Hawaii ranks third highest in the nation per capita for property crime. The dramatic increase of personal property and automobile thefts against residents and tourists has caused alarming concern for public safety as well as the viability of the tourism industry.

"To send a clear message to the public that repeat offenders will be taken seriously, I proposed that habitual theft be categorized as a felony.

"Unfortunately, crimes against tourists are increasingly violent in nature as evidenced by the recent beating of a tourist/police officer during a robbery. In such a situation, prosecutors must prove beyond a reasonable doubt that the defendant intended to inflict serious bodily injury in order to be

convicted of first degree robbery. To assist prosecutorial efforts in convicting violent robbers, I support law which clarifies what intent is necessary to prove robbery and auto theft.

"To best protect victims of abuse, we need to consider the repetitive and retaliatory nature of domestic violence and strengthening existing laws by making restraining orders easier to obtain. I support tracking incidents of abuse by prohibiting a person convicted of physically abusing a family or household member from having records of such abuse expunged after five years. I want to allow evidence of prior acts committed by the same person against the same victim in domestic abuse prosecutions to be used in the court of law. Finally, I want to provide grants-in-aid to each county for domestic violence prosecution units.

"Sexual assault offenses, particularly those involving physical violence, violence against children, and repeat offenses, are an extreme threat to the public. Given the repetitive nature of sex offenders, public safety demands that convicts register with law enforcement by providing residential and employment addresses and telephone numbers. And in accord with federal requirements, we should allow the release of relevant information concerning the presence of sex offenders in the community.

"Some of these efforts were passed only in the Senate, and were not even considered by the House of Representatives. But the more that people know about these efforts, the more we can accomplish in the future.

"In conclusion, let me just say again that National Crime Victims' Rights Week is a time to recognize our many successes in serving crime victims. It is a time to honor victims, to remember their pain, and to memorialize their losses. To let victims' rights ring, we must share our knowledge about the devastating impact of crime and we must urge others to join in the fight.

"Thank you very much."

#### APPOINTMENT OF CONFEREES

S.B. No. 623, S.D. 2 (H.D. 1):

The President appointed Senator Levin as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 623, S.D. 2 (H.D. 1).

S.B. No. 871, S.D. 2 (H.D. 3):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 871, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Ige, M., Sakamoto, Fernandes Salling, Fukunaga, co-chairmen, Ihara, Taniguchi, Anderson as managers on the part of the Senate at such conference.

H.B. No. 454, H.D. 1 (S.D. 1):

The President discharged Senators Chumbley and Matsunaga as co-chairmen on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 454, H.D. 1 (S.D. 1).

H.B. No. 1613 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1613 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Matsunaga, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1714, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1714, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Chun Oakland, Anderson as managers on the part of the Senate at such conference.

H.B. No. 1799, H.D. 1 (S.D. 1):

The President appointed Senator Levin as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 1799, H.D. 1 (S.D. 1).

H.B. No. 1840, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1840, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Levin, Anderson as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:30 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 21, 1997.

## FIFTY-FIFTH DAY

Monday, April 21, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ron Williams, The Ohana Christian Fellowship, after which the Roll was called showing all Senators present.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 323 and 324) were read by the Clerk and were placed on file:

Gov. Msg. No. 323, advising the Senate of the withdrawal of the nomination of Gregory G.Y. Pai, Ph.D., to the Public Utilities Commission, under Gov. Msg. No. 205 dated February 24, 1997, in accordance with S.R. No. 115, S.D. 1.

In compliance with Gov. Msg. No. 323, the nomination listed under Gov. Msg. No. 205 was returned.

Gov. Msg. No. 324, advising the Senate of the withdrawal of the nomination of Cecil Bindel to the Waianae Coast Subarea Health Planning Council, under Gov. Msg. No. 302 dated April 14, 1997.

In compliance with Gov. Msg. No. 324, the nomination listed under Gov. Msg. No. 302 was returned.

At 11:44 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.

There being no objections, the Senate took the following action out of sequence as printed on the Order of the Day.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1718 (Gov. Msg. Nos. 237, 242, 255, 257, 259, 260, 263 and 274):

Senator Baker moved that Stand. Com. Rep. No. 1718 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of the following:

SCOTT H. DUNN and ARTHUR C. TOKIN to the State Board of Public Accountancy, terms to expire June 30, 2001 (Gov. Msg. No. 237);

GEORGE R. RODRIGUES, JR., and CLIFFORD LABOY to the Board of Electricians and Plumbers, terms to expire June 30, 2001 (Gov. Msg. No. 242);

STEPHEN Y.H. KWOCK to the State Board of Public Accountancy, term to expire June 30, 2001 (Gov. Msg. No. 255);

TSUKASA MURAKAMI, R. P. BUCK SCHIPA, CHARLIE T. RODGERS, GERARD SAKAMOTO and EDGAR M. YOKOYAMA to the Contractors License Board, terms to expire June 30, 2001 (Gov. Msg. No. 257);

JAN A. NAKAHARA, MITZI C. H-YAMAMOTO and KENNETH R. JOYNER to the Board of Cosmetology, terms to expire June 30, 2001 (Gov. Msg. No. 259);

MODESTA S. GAERLAN-TOKUNAGA, D.D.S., MARTIN K. OISHI, D.D.S., JANEEN-ANN A. OLDS and CYNTHIA YAMADA to the Board of Dental Examiners, terms to expire June 30, 2001 (Gov. Msg. No. 260);

CAROLEE C. KUBO, JANIS C. AKUNA and STEPHEN E. GOMES to the Board of Directors of the Hawai'i Hurricane Relief Fund, terms to expire June 30, 2001 (Gov. Msg. No. 263); and

JANE FUKUNAGA to the Board of Public Broadcasting, term to expire June 30, 1999 (Gov. Msg. No. 274);

CHERYL K. HETHERINGTON, JANICE S. HIGASHI and THOMAS L. WARLING to the Board of Public Broadcasting, terms to expire June 30, 2001 (Gov. Msg. No. 274),

seconded by Senator D. Ige.

Senator Baker rose in support of the nominees as follows:

"Mr. President, on behalf of your co-chairs and the committee, I have some remarks in support of this standing committee report and these nominees to be inserted into the Journal."

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

"Mr. President, I rise to speak in favor of these nominations.

"Mr. President and colleagues, your Committee on Commerce, Consumer Protection and Information Technology diligently questioned the candidates and found them to be qualified to fulfill the responsibilities of their respective board duties. While each candidate brings a wealth of education, experience and skills to their respective positions, your committee was most impressed with their commitment and dedication to public service.

"In making its recommendation, Mr. President, your committee was mindful of the importance the various boards and commissions have with regard to ensuring that licensed professionals are practicing their vocations with the highest standard of integrity and that consumers in the marketplace are well protected. We are confident that the candidates before us will make a positive contribution to the board or commission they seek.

"On behalf of Co-Chair Senator David Ige and myself, we strongly recommend confirmation of the following:

Scott H. Dunn and Arthur C. Tokin, State Board of Public Accountancy;  
George R. Rodrigues, Jr., and Clifford Laboy, Board of Electricians and Plumbers;  
Stephen Y.H. Kwock, State Board of Public Accountancy;  
Tsukasa Murakami, R.P. Buck Schipa, Charlie Rodgers, Gerard Sakamoto and Edgar M. Yokoyama, Contractors License Board;  
Jan A. Nakahara, Mitzi C.H. Yamamoto and Kenneth R. Joyner, Board of Cosmetology;  
Modesta Gaerlan-Tokunaga, Martin K. Oishi, Janeen-Ann A. Olds and Cynthia Yamada, Board of Dental Examiners;  
Carolee C. Kubo, Janis Akuna and Stephen E. Gomes, Board of Directors of the Hawai'i Hurricane Relief Fund; and  
Jane Fukunaga, Cheryl K. Hetherington, Janice S. Higashi and Thomas L. Warling, Board of Public Broadcasting.

"Thank you, Mr. President."

Senator Sakamoto then requested a conflict ruling as follows:

"Mr. President, on Gov. Msg. No. 257, I have a relative who is an appointee on that."

The Chair ruled that Senator Sakamoto was not in conflict.

Senator McCartney rose in support of Gov. Msg. No. 237 and said:

"Mr. President, I, too, would like to insert some remarks in the Journal in favor of Gov. Msg. No. 237."

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

"It is my pleasure to insert these remarks into the Senate Journal on behalf of Scott H. Dunn, the governor's nominee to the State Board of Public Accountancy. Scott is dedicated and committed to public service, and I wholeheartedly support his nomination."

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

Ayes, 25. Noes, none.

#### FINAL READING

Conf. Com. Rep. No. 2 (H.B. No. 118, H.D. 1, S.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 2 be adopted and H.B. No. 118, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the measure and said:

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

"This measure represents a commitment to the provision of substantially similar governmental rights and benefits to those couples who are barred by law from marriage. The conferees agreed that while the traditional concept of marriage may be reserved as per current law, permanent commitments which bear the same burdens and share the same aspirations as married couples, should, as a matter of fundamental fairness, be afforded the economic benefits provided by the State of Hawaii to married couples.

"And Mr. President, I have additional remarks I would like inserted into the Journal. Thank you."

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

"The proposed C.D. 1 incorporates the form and substance of the bill as received from the House. Adult couples who are prohibited by law from marriage and who are not already married will be able to register as 'reciprocal beneficiaries' with the Department of Health. Upon doing so they will qualify for certain governmental benefits that are expressly provided for in our laws.

"In identifying the governmental benefits to be included, we used as our starting point the original House draft of the bill and S.B. No. 98, Relating to Economic Benefits, a measure co-introduced by 10 of our Senate colleagues, Senators Iwase, Ige, Tanaka, Kawamoto, Aki, Sakamoto, Tam, Bunda, Solomon, and Anderson. The Senate bill proposes a model similar to H.B. No. 118, C.D. 1, except that the triggering mechanism is an unregistered 'Affidavit of Shared Necessities of Life'.

"Specific areas of inclusion initiated by S.B. No. 98 and H.B. No. 118, H.D. 1, include:

1. State Government Retirement System Benefits. S.B. No. 98 would have permitted the health benefits and death benefits of public employees to accrue to their identified life partner. The proposed CD includes these benefits and, in the absence of any reason to the contrary, all other similar rights and benefits accruing to government employees.
2. Wrongful Death Actions. Both the House bill and S.B. No. 98 provided for wrongful death standing. The conference draft incorporates the principle of providing equivalent standing and inheritance in the case of death and serious injury to other areas. These include: workers compensation benefits, anatomical gifts and corpse disposition rights, criminal victims rights, and inheritance of public leases.
3. Hospital Visitation and Health Care Decisions. The most striking acknowledgement of the real needs of living partners in the House bill is its inclusion of hospital visitation and health care decisions. Accordingly, the House appears to acknowledge that matters of health are certainly among the most significant in any life partnership. The proposed draft incorporates this principle by including rights relating to insurance (including pre-paid medical insurance), family leave, and mental health notifications and authority.
4. Tenancy in the Entirety. H.B. No. 118, H.D. 1, in including tenancy in the entirety privileges, appears to acknowledge that the legitimate pooling of resources is deserving of appropriate protection. In accordance with this principle, the conference draft includes relevant statutory provisions acknowledging the shared interest in resources. These include certain criminal and collection defenses, partnership exemptions, and tort standing. As a corollary to these rights, the draft also includes reciprocal beneficiaries as among those who may be subject to criminal enforcement or notification under our domestic violence and youthful offender statutes.

"Despite the conference draft's breadth, it does not include all rights and benefits, nor does it impose all burdens. This is because it is the committee's view that the extension of such rights and burdens can and should be limited when a substantial government interest would be injured by such an extension.

"Accordingly, the conference draft does not include the marital rights and benefits which arguably conflict with other substantial governmental interests. [[Included among such arguable interests and consequent exclusions are:

1. The State's interest in preserving the traditional family. As manifested in both H.B. No. 117 and the committee's proposed C.D. 1, the citizens of our state may choose to limit marriage to couples of the opposite sex. If they do so, we would be logically obliged to limit benefits and burdens that explicitly relate to the institution of marriage to such couples.

Thus, the proposed conference draft does not include any rights, benefits or burdens imposed or granted by our laws explicitly relating to marriage (Ch. 572, 576D-D), divorce (Ch. 580), parentage and adoption (Chs. 578, 584, 571 pts. IV-V), premarital agreements (Ch. 572), mutual support and community property (572-3, 575-2, Ch. 51), dower and curtesy (Ch. 533), evidentiary spousal privileges (Ch. 626) and wiretap exceptions (803-46). Additionally, the proposed draft excludes certain very specific family use exceptions. These include: harbor fishing (188-34); Kaneohe Bay recreation permits (200-39); nehu and iao fishing (188-45); and agriculture regulation exceptions (Chs. 141-168).

2. The State's interest in avoiding federal and interstate conflicts. With the passage of the federal Defense of Marriage Act, the federal government seems to have signaled an unwillingness to support or acknowledge the extension of marital benefits to couples other than those in traditional marriages. Similarly, a number of other states have statutorily indicated some discomfort with potential extension of marital benefits. It is a legitimate and substantial state interest to avoid conflict with other states and to acknowledge the power of the federal government within their proper jurisdiction.

Thus, the proposed draft excludes those programs which are substantially funded or regulated by the federal government including social service benefits (Ch. 346), government housing programs (Ch. 359), airport and urban redevelopment and relocation (Chs. 111, 261), veterans burial benefits (Ch. 363), certain resident military benefits (e.g. 288-107(g)), state health family assistance (Ch. 321), unemployment insurance definitions (Ch. 383), certain banking exceptions (Chs. 412-417) and Hawaiian homelands inheritance (HHCA 209). Additionally, we have excluded relevant interstate compacts so as not to imply or impose an express burden of recognition on other states. Relevant compacts include those relating to probation and parole (353-81), mental health (Ch. 335), adoption assistance (Ch. 350C), and reciprocal enforcement of support (Ch. 576).]]

"Mr. President, we feel that the contents of this bill represents a reasonable, fair and balanced approach. We urge its passage."

Senator Iwase also rose to support the measure and stated:

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

"Mr. President, this bill, H.B. No. 118, brings us nearer to the end of a journey that we started back in 1994 when we enacted a law and reaffirmed that law in 1995. It dealt with the same-sex marriage issue. And let me quote from the 1995 law. We created a commission which was to provide to the Legislature recommendations. They were supposed to 'examine the major, legal and economic benefits extended to married opposite-sex couples, but not to same-sex couples; examine the substantial public policy reasons to extend or not to extend such benefits ... and recommend appropriate action which may be taken by the legislature to extend such benefits to same-sex couples.'

"We were looking, three years ago and two years ago, to enact a measure which would provide economic benefits. One of the positive aspects of this bill is that it is not limited to the issue of sexual orientation but extends benefits to couples who are not necessarily involved with same-sex relationships. It could be an aunt and a niece or nephew, a grandparent and a grandchild, a brother and a sister, a 'hanai' parent and a 'hanai' child. It is an experiment in aloha. It is an experiment which we can review in two years to determine the economic benefits to the State of Hawaii or the economic burdens to the State of Hawaii and will give us an opportunity to again act.

"But the journey is not at an end. Before this session ends, we must act on H.B. No. 117 which is a constitutional amendment. I hope that we achieve the two-thirds vote that we must achieve in order to place that important constitutional amendment on the ballot.

"Finally, Mr. President, at the beginning of this session, ten Senators introduced a bill which is part of a package to address this issue, a bill on hate crimes, S.B. No. 99. It is a bill that we still need, and it was emphasized yesterday, when a sick individual or individuals defaced national cemeteries and other cemeteries in this state with the sick words of hate. Senate Bill 99 would apply to gender, to religion, to national origin, to sexual orientation and to race. And if a crime is committed

because of hate, a judge would be allowed to enhance the penalties.

"What happened yesterday is a cancer in our society. It's an insult to the core values we hold in this state. We pride ourselves as being the 'Aloha State' and it is my hope that the Judiciary Committee and other members of this body will act next year on a hate crime bill to complete the journey which we have travelled now for four years and which will hopefully soon come to an end.

"Thank you, Mr. President."

Senator Levin supported the measure as follows:

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

"I want to simply thank and congratulate the conferees and the chairs who got us to this point. I think they did an extraordinary job under extraordinary conditions. I think they deserve the appreciation and gratitude of all who are interested in civil rights.

"When you deal with a difficult issue and you wind up with a compromise measure, there is often a tendency to feel something of a let-down. But I believe that this bill will prove to be a major and very positive landmark on the road to equal justice for all.

"Thank you."

Senator Slom rose to speak against the measure and said:

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

"Mr. President, I think that this bill represents just another example of us trying to put the cart before the horse. We've heard many times in this body that this issue that has dragged on for three years at the expense of our economic and income issues is not a civil rights matter, but then we keep hearing about civil rights. Mr. President, I don't think it has to do with civil rights, either. I think it has to do with contractual rights and benefits and I think it is an interference by the government into private contractual rights.

"In addition to that, Mr. President, I think that before we pass this or any other bill, we should always look and review and analyze very carefully the cost before we pass the bill. I don't think it's good enough to pass the bill and say, 'Let's wait and see what the costs are going to be.' That's why the State of Hawaii is in debt right now and doesn't have any money, and that's why our people are struggling day by day.

"In addition to that, Mr. President, we've already heard from the attorneys in our community who are looking at this bill with a great deal of enthusiasm because they are anticipating how they will get involved to an even greater extent, if that's possible.

"And finally, Mr. President, I look at this, if we're talking about discrimination and extending rights to everyone, then what we have to do is look at the single people within our community who for many years have been subsidizing other people as well. As we look around our community and find more and more people that are widowed or in an individual status, they themselves do not enjoy and will not enjoy the kinds of rights and benefits that we are now going to forcibly bestow upon a certain select group of people.

"So, for these and other reasons, Mr. President, I am going to vote 'no.' Thank you."

Senator Sakamoto rose to speak on the measure as follows:

"Mr. President, I'd like to speak with some reservations on this bill.

"And yes, as the previous speaker mentioned regarding cost of some of these individual measures, we spend the whole session addressing one of the specific components, so I have concerns about costs. On the other hand, with Hawaii's cost of living, some of these provisions will benefit people who cannot get married but can see some relief in some of these provisions.

"On a positive note, Mr. President, I think this body is taking the right step in taking things back from the court and not letting the court kick us around, but letting us take action. And part of it is we've been kicked around by the court on some of these decisions that forced this predicament that embroiled us for so long. But as we take positive action and hopefully spend the time to clearly bring out the financial impacts, moral impacts, societal impacts, we can be a pro-active body as we go forward. So I'd like to vote with reservations, Mr. President."

Senator Bunda then rose to say:

"Mr. President, could you have the Clerk cast my vote with reservations."

The Chair so ordered.

Senator M. Ige then rose to speak against the measure and said:

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

"Simply put -- I believe it's the wrong issue, the wrong time. And I just do not believe that I can go along and support this measure as it's written. Thank you."

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

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

"First, Mr. President, I'd like to thank our co-chairs from Palolo and from Maui and the member from Hilo. It was a rough and tough conference and I think in the end we did what we had to do and we did the right thing. And I think today on the floor everybody is going to vote their conscience and do what they believe is right for the people of Hawaii.

"I'd like the remarks of the Senator from Palolo to be inserted into the Journal as my own. And I think, Mr. President, much has been said, much has been learned, and much more needs to be done so that all our people are treated with fairness, dignity, and respect under the law.

"Thank you, Mr. President."

The Chair so ordered.

Senator Chun Oakland also rose to support the bill as follows:

"Mr. President, I'd also like to speak in support of this measure and would the Clerk please insert the remarks of the Senator from Kau as if it were my own. Thank you."

The Chair so ordered.

Senator Chumbley, rising in support of the measure, then stated:

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

"This bill has been subject to a great deal of misrepresentation and unfair criticism, and I would like to take an opportunity to address, just briefly, a couple of concerns. I do have quite lengthy remarks I'd like to have inserted into the Journal with supporting documentation, but I'd like to address

the issue of the economic impacts and costs -- the private sector costs, in particular.

"The largest red herring attack upon the bill is that it will impose costs upon the private sector. Simply, there is no evidence to support any such concern. The bulk of the so-called debate centers around the pre-paid health insurance. The bill, indeed, requires that reciprocal beneficiary coverage be made available on an equal basis with family coverage, but nowhere -- but nowhere -- in our law is it required that employers provide family coverage. This bill does not do so. So, no private employer will be required to provide reciprocal beneficiary coverage.

"Some employers voluntarily pay for family coverage. This bill would permit them to do so for reciprocal beneficiaries, but this will be a matter of employer choice. And if they do provide such coverage, evidence from the 100-plus private employers, 49 colleges, 62 state or local governments, and 22 unions that provide some form of domestic partnership benefits have yet to report a single case of significant adverse impact. In fact, according to a recent study by the International Foundation of Employee Benefit Plans provided to us by HMSA, it concludes that while the concern with increased costs have been raised, what experience has borne out does not support these fears. In general, there is no evidence to indicate that the average health care cost of a domestic partner, either same-sex or opposite sex, will be significantly higher than that of a spouse.

"I have attached to my remarks a copy of the study for inclusion in the record and we will provide for the record and any member's request all the details backing that up.

"I urge all my colleagues to support this measure.

"Thank you, Mr. President."

The Chair so ordered and identified the attachment of Senator Chumbley's remarks and supporting documentation as EXHIBITS "A" to "E."

Senator Metcalf rose to support the measure as follows:

"Mr. President, I have some written remarks in support of the measure that I would request be inserted into the Journal."

The Chair so ordered and Senator Metcalf's remarks follow:

"Mr. President, I rise to speak in favor of H.B. No. 118, H.D. 1, S.D. 1, C.D. 1.

"This measure together with a proposed ballot question in the form of a constitutional amendment that we will be taking up later this session seek to deal with issues flowing from the decision in Baehr v. Lewin. In this case the court has ruled that absent a compelling state interest, same sex couples cannot be denied the right to marry. Beyond the arguments and the passions expressed in the debate that now surrounds the court's decision, are fundamental questions regarding the effective parameters of the legislature and the courts to act.

"Most Hawaii citizens favor extending rights, benefits and burdens associated with marriage to same sex couples. Yet it is clear they wish at this time to reserve to themselves the question of whether the legislature shall have power to determine whether marriage shall be limited to opposite sex couples only.

"As legislators we have the responsibility to choose correctly irrespective of whether those choices flow with or are contrary to the passions of the moment. This is an essential element of the public trust. At the same time this responsibility cannot be translated into fiat to ignore that which manifestly reflects the public will. To act otherwise is to substitute autocracy for

democracy. Far too much has been invested in our democracy to justify a lurch in that direction.

"The courts have a special and unique role in our system of government key among which is the principle that any citizen can be heard and have their case determined impartially independent of their popularity, wealth, power or status. The only criteria to be applied by the court in determining cases and causes are law and equity.

"In drafting this measure and the constitutional amendment later to be voted on, your Senate conferees have been mindful of the need to enact legislation regarding rights, benefits and burdens to be extended to reciprocal beneficiaries and to advance the public discussion on the question of a constitutional amendment. This approach has been taken in recognition of the constraints of what can be accomplished without weakening the legislature's position as that instrument of government designed especially to respond to the public will.

"Within the parameters of the legislature's effective abilities to act, H.B. No. 118, H.D. 1, S.D. 1, C.D. 1, advances the simple reverence for life philosophy espoused by the late Albert Schweitzer. It is an approach to life guided by a respect for the individual, out of which can be deduced a demand for the greatest possible freedom for the individual to live as he or she sees fit on the one hand, and the demand for social justice in the form of equal rights and equal possibilities for all on the other.

"House Bill 118, H.D. 1, S.D. 1, C.D. 1, will promote social justice in advancing equal rights and possibilities for all law abiding members of our community while the proposed constitutional amendment later to be considered will allow for the discussion and expression of the public's voice with respect to whom a marriage license shall be issued."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 118, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNMARRIED COUPLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Ige, M., Kawamoto, Slom).

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1720) recommending that the Senate advise and consent to the nominations of the following:

RONALD A. DARBY to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 153; and

GRETCHEN M. GOULD and KIM NICHOLAS HOLLAND, Ph.D., to the Kaneohe Bay Regional Council, in accordance with Gov. Msg. No. 269.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1720 and Gov. Msg. Nos. 153 and 269 were deferred until Tuesday, April 22, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1721) recommending that the Senate advise and consent to the nominations of MARVIN B. AWAYA and EARL S. WAKAMURA to the Rental Housing Trust Fund Commission, in accordance with Gov. Msg. No. 203.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1721 and Gov. Msg. No. 203 was deferred until Tuesday, April 22, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1722) recommending that the Senate advise and consent to the nomination of ALLAN LOS BANOS, JR., to the Hawai'i Housing Authority, in accordance with Gov. Msg. No. 243.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1722 and Gov. Msg. No. 243 was deferred until Tuesday, April 22, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1723) recommending that the Senate advise and consent to the nomination of CLAIRE H. MOTODA to the Procurement Policy Office Board, in accordance with Gov. Msg. No. 273.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1723 and Gov. Msg. No. 273 was deferred until Tuesday, April 22, 1997.

Senators Bunda and M. Ige, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1724) recommending that the Senate advise and consent to the nominations of BRIAN T. TAMAMOTO, MOMI W. CAZIMERO and ALFRED LAURETA to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 239.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1724 and Gov. Msg. No. 239 was deferred until Tuesday, April 22, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1725) recommending that the Senate advise and consent to the nominations of SHARON GOODHART, SUSAN A. KOBAYASHI and NANCY G. BARRY to the Oahu Library Advisory Commission, in accordance with Gov. Msg. No. 247.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1725 and Gov. Msg. No. 247 was deferred until Tuesday, April 22, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1726) recommending that the Senate advise and consent to the nomination of MERCEDES B. LEIALOHA to the Hawai'i Library Advisory Commission, in accordance with Gov. Msg. No. 248.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1726 and Gov. Msg. No. 248 was deferred until Tuesday, April 22, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1727) recommending that the Senate advise and consent to the nomination of MARY JO SWENEY to the Kauai Library Advisory Commission, in accordance with Gov. Msg. No. 249.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1727 and Gov. Msg. No. 249 was deferred until Tuesday, April 22, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1728) recommending that the Senate advise and consent to the nomination of NORA A. KAWASAKI to the Maui County Library Advisory Commission, in accordance with Gov. Msg. No. 250.



In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1728 and Gov. Msg. No. 250 was deferred until Tuesday, April 22, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1729) recommending that the Senate advise and consent to the nominations of WALTER NUNOKAWA, Ph.D., and HERBERT A. SEGAWA to the Board of Directors, Research Corporation of the University of Hawaii, in accordance with Gov. Msg. No. 275.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1729 and Gov. Msg. No. 275 was deferred until Tuesday, April 22, 1997.

Senators Bunda and M. Ige, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 1730) recommending that H.C.R. No. 206, H.D. 2, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 206, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WAIMANALO HOUSING RESIDENTS ASSOCIATION, HAWAII HOUSING AUTHORITY, HOUSING FINANCE AND DEVELOPMENT CORPORATION, OFFICE OF HAWAIIAN AFFAIRS, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RESEARCH ISSUES AND IDENTIFY OPTIONS TO ENABLE THE RESIDENTS OF THE WAIMANALO HOMES PROJECT TO REMAIN LIVING THERE," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1731) recommending that H.C.R. No. 267, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 267, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT ON PLANS TO RELOCATE ANY PARTS OF THE INSTITUTE FOR ASTRONOMY TO THE BIG ISLAND," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1732) recommending that H.C.R. No. 107, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 107, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PROCEED WITH THE FUNDING OF THE NEW CARRIER KNOWN AS CVN-77, AND HOMEPORTING THE SHIP AT PEARL HARBOR," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1733) recommending that H.C.R. No. 128, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 128, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES DEPARTMENT OF DEFENSE TO CONTINUE ITS EFFORTS TO EVALUATE THE CURRENT UNITED STATES MILITARY PRESENCE IN OKINAWA," was adopted.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1734) recommending that H.C.R. No. 286, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 286, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO THE MAUKA HIGHWAY AS AN ALTERNATIVE HIGHWAY TO FARRINGTON HIGHWAY ON THE LEEWARD COAST," was referred to the Committee on Ways and Means.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1735) recommending that H.C.R. No. 231 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO NOMINATE AND THE UNITED STATES SENATE TO CONFIRM AT LEAST ONE QUALIFIED RESIDENT FROM THE STATE OF HAWAII TO SERVE AS AN ACTIVE JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1736) recommending that the Senate consent to the nomination of SANDRA P. SCHUTTE to the office of Judge, District Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 5.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1736 and Jud. Com. No. 5 was deferred until Tuesday, April 22, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1737) recommending that the Senate consent to the nomination of RHONDA I. LAI LOO to the office of Judge, District Court of the Second Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 6.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1737 and Jud. Com. No. 6 was deferred until Tuesday, April 22, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1738) recommending that H.C.R. No. 210 be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAE DISTRICT FLOODING," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1739) recommending that H.C.R. No. 280 be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 280, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REQUIRE THE INCLUSION OF DISASTER MITIGATION MEASURES IN THE PLANNING, DESIGN, AND CONSTRUCTION PHASES OF ALL STATE-FUNDED BUILDINGS DESIGNATED AS HURRICANE SHELTERS," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1740) recommending that H.C.R. No. 18, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 18, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ASSESSING THE COSTS OF MENTAL HEALTH SERVICES IN HAWAII AND THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE IN HEALTH CARE INSURANCE PLANS EQUIVALENT TO THE COVERAGE FOR ANY OTHER MEDICAL ILLNESSES," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1741) recommending that H.C.R. No. 40 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 40, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH LOCAL INDUSTRIES, THE HAWAII VISITORS AND CONVENTION BUREAU, THE DEPARTMENT OF AGRICULTURE AND OTHER APPROPRIATE AGENCIES TO SHOWCASE HAWAII-MADE PRODUCTS," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1742) recommending that H.C.R. No. 72, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 72, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT AND IMPLEMENTATION OF A COMPREHENSIVE RURAL TRANSITION PLAN THAT PROMOTES NEW AND DIVERSIFIED AGRICULTURE AND INCREASES RURAL EMPLOYMENT AND DEVELOPMENT IN THE STATE," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1743) recommending that H.C.R. No. 76, H.D. 2, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 76, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING IMPLEMENTATION OF EXPEDITED AUTOMATIC BORDER CLEARANCE; EXTENSION OF THE VISA WAIVER PROGRAM; AND ELIMINATION OF VISA REQUIREMENTS WHERE POSSIBLE," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1744) recommending that H.C.R. No. 153, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and

H.C.R. No. 153, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR TO CONDUCT AN AUDIT OF THE REVENUES, COSTS, AND SERVICES OF ALL STATE-RUN SMALL BOAT HARBORS AND BOAT RAMPS," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1745) recommending that H.C.R. No. 239, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 239, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RECOGNITION AND DESIGNATION OF SURFING AND OUTRIGGER CANOE RACING AS OLYMPIC SPORTS," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1746) recommending that H.C.R. No. 257, H.D. 2, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 257, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH OTHER AGENCIES AND BIG ISLAND COMMUNITY ORGANIZATIONS TO DETERMINE HOW THE COMMERCIAL FOREST INDUSTRY AND THE HILO-HAMAKUA COMMUNITY CAN WORK TOGETHER TO HELP DETERMINE FUTURE OPTIONS FOR THE COMMUNITY," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1747) recommending that H.C.R. No. 95, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 95, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO CAREFULLY ASSESS THE IMPACT OF NEW FEDERAL LAWS AFFECTING IMMIGRANTS TO PROTECT THEIR RIGHTS TO RECEIVE ADEQUATE HEALTH AND HUMAN SERVICES," was referred to the Committee on Ways and Means.

Senators Kawamoto and Sakamoto, for the majority of the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1748) recommending that H.C.R. No. 119, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the majority of the Committee was adopted and H.C.R. No. 119, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO SUPPORT SENATOR JOHN McCAIN'S FEDERAL LEGISLATION TO PROVIDE FOR THE MANAGEMENT OF THE AIRSPACE OVER UNITS OF THE NATIONAL PARK SYSTEM," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1749) recommending that H.C.R. No. 66, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 66, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Tam then moved that Stand. Com. Rep. No. 1749 be received and placed on file, seconded by Senator Aki and carried.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

On motion by Senator Tam, seconded by Senator Aki and carried, H.C.R. No. 66, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC LIBRARY SYSTEM," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1750) recommending that H.C.R. No. 93, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 93, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VALUES AND ETHICS PROGRAM AS DETERMINED BY EACH SCHOOL COMMUNITY," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1751) recommending that H.C.R. No. 152, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 152, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DETERMINE STATE AND DISTRICT LEVEL MANAGEMENT AUTHORITY FOR THE HAWAIIAN STUDIES PROGRAM," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1752) recommending that H.C.R. No. 241 be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FINANCE CONSIDER THE NEED FOR FUNDING FOR COACHES' SALARIES, ATHLETIC EQUIPMENT AND SUPPLIES AS WELL AS TRANSPORTATION FOR ATHLETIC TEAMS AS STANDARD WORKLOAD INCREASE WHEN DESIGNING AND BUDGETING NEW SCHOOLS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1753) recommending that H.C.R. No. 251, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 251, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1754) recommending that H.C.R. No. 262, H.D. 1, as amended in S.D. 1, be referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 262, H.D. 1, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Tam then moved that Stand. Com. Rep. No. 1754 be received and placed on file, seconded by Senator Aki and carried.

On motion by Senator Tam, seconded by Senator Aki and carried, H.C.R. No. 262, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE AVAILABLE A DEFINITION OF EACH GRADE LEVEL'S ROLE IN A CHILD'S EDUCATIONAL PROGRESSION," was adopted.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1755) recommending that H.C.R. No. 278, H.D. 2, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 278, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO HAWAIIAN MEDIUM SCHOOLS ON KAUAI AND HAWAII," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1756) recommending that H.C.R. No. 279, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 279, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A STATEWIDE PILOT CARDIOPULMONARY RESUSCITATION TRAINING PROGRAM," was referred to the Committee on Ways and Means.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1757) recommending that H.C.R. No. 281 be referred to the Committee on Ways and Means.

Senator Fernandes Salling, for the Committee on Ways and Means, requested that the referral of H.C.R. No. 281 to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Tam then moved that Stand. Com. Rep. No. 1757 be received and placed on file, seconded by Senator Aki and carried.

On motion by Senator Tam, seconded by Senator Aki and carried, H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PREPARATION OF A LONG-RANGE FINANCIAL AND OPERATIONAL PLAN TO ENSURE THE DEVELOPMENT OF THE HAWAIIAN LANGUAGE IMMERSION PROGRAM," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1758) recommending that H.C.R. No. 16, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE FOR ADVANCED CARE LIFE SUPPORT AMBULANCE SERVICE TO THE HANA DISTRICT IN THE UPCOMING MAUI COUNTY AMBULANCE

CONTRACT," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, jointly with Senators Chun Oakland and Kanno, for the Committee on Health and Environment and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1759) recommending that H.C.R. No. 19, H.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the joint report of the Committees was adopted and H.C.R. No. 19, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1760) recommending that H.C.R. No. 39, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 39, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO APPOINT A TASK FORCE TO ASSESS AIR QUALITY AT CAMPBELL INDUSTRIAL PARK AND THE AIR QUALITY IMPACTS OF EMISSION SOURCES IN THIS LOCATION," was referred to the Committee on Ways and Means.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1761) recommending that H.C.R. No. 125, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 125, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A MENTAL HEALTH STATUTES TASK FORCE," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1762) recommending that H.C.R. No. 178 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SUPPORT FOR NATIVE HAWAIIAN NUTRITION EDUCATION," was adopted.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1763) recommending that H.C.R. No. 205 be referred to the Committee on Water, Land, and Hawaiian Affairs.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was referred to the Committee on Water, Land, and Hawaiian Affairs.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1764) recommending that H.C.R. No. 186, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 186, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COMMUNITY-BASED, COOPERATIVE HAWAIIAN FISHPOND RESTORATION PROJECT FOR PEARL HARBOR," was referred to the Committee on Ways and Means.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1765) recommending that H.C.R. No. 147 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EXPEDITE THE CONVEYANCE OF KALIHI VALLEY STATE PARK TO THE STATE," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1766) recommending that H.C.R. No. 215, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 215, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE COMMITTEE ON LAND USE PLANNING," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1767) recommending that H.C.R. No. 258 be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE DESIGNATION OF THE WAILOA STATE PARK AS THE PERMANENT SITE OF THE ANNUAL HAARI BOAT RACE," was adopted.

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1768) recommending that H.C.R. No. 259, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 259, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH HUNTING ORGANIZATIONS TO DISCUSS THE FEASIBILITY OF ESTABLISHING A HUNTING AREA RESERVES COUNCIL," was adopted.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1769) recommending that H.C.R. No. 252, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 252, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RECRUITMENT OF THE 'AMERICA'S SMITHSONIAN' EXHIBITION TO HAWAII," was adopted.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

**RECONSIDERATION OF ACTIONS TAKEN**

S.B. No. 818, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 818, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 818, S.D. 1, seconded by Senator D. Ige.

Senator Baker then noted:

"Mr. President, S.B. No. 818 relates to trademark counterfeiting. The House made only minor clarifying and technical, nonsubstantive amendments. After conferring in conference we have decided to agree to those amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 818, S.D. 1, and S.B. No. 818, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," was placed on the calendar for Final Reading on Tuesday, April 22, 1997.

S.B. No. 952, S.D. 1 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 952, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 952, S.D. 1, seconded by Senator D. Ige.

Senator Baker noted:

"Senate Bill 952 is a consumer protection measure relating to warranties for assistive devices for persons with disabilities. The House, again, made only clarifying and nonsubstantive amendments. Having discussed these in conference, we recommend agreement."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 952, S.D. 1, and S.B. No. 952, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," was placed on the calendar for Final Reading on Tuesday, April 22, 1997.

S.B. No. 1560, S.D. 1 (H.D. 2):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1560, S.D. 1, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1560, S.D. 1, seconded by Senator D. Ige.

Senator Baker explained:

"Senate Bill 1560 relates to electronic transmission of prescriptions. The only difference between the House and Senate versions was the House bill allowed prescriptions to be transmitted electronically to out of state pharmacies. This position is consistent with the federal amendments in the Health Insurance Portability and Accountability Act (HIPAA). Therefore, the Senate recommends agreement."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No.

1560, S.D. 1, and S.B. No. 1560, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," was placed on the calendar for Final Reading on Tuesday, April 22, 1997.

S.B. No. 1714 (H.D. 1):

Senator Baker moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1714, seconded by Senator D. Ige and carried.

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.B. No. 1714, seconded by Senator D. Ige.

Senator Baker then noted:

"Senate Bill No. 1714 relates to motor vehicle industry licensing. This measure conformed our laws to recently enacted amendments to federal law. Again the House made only some clarifying amendments, which after meeting in conference we have agreed to accept."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1714 and S.B. No. 1714, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," was placed on the calendar for Final Reading on Tuesday, April 22, 1997.

S.B. No. 969 (H.D. 2):

Senator Aki moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 969, seconded by Senator Tam and carried.

Senator Aki moved that the Senate agree to the amendments proposed by the House to S.B. No. 969, seconded by Senator Tam.

Senator Aki then explained:

"Mr. President, the amendments were technical in nature and also, this deals with the fines that the University is allowed to charge for parking violations. The House amended the bill to make the fines up to \$100 that the University can charge and this is in keeping with the city and county fines found in violation of parking violations. Therefore we agree with the amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 969 and S.B. No. 969, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was placed on the calendar for Final Reading on Tuesday, April 22, 1997.

Senator M. Ige rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, on Friday I asked you, regarding S.B. No. 1472, privatization, if the conferees had been named. And you said that it would be done soon. My problem is, since then, we've gotten a flyer from one of the labor unions and over the radio station there's another group that's asking people to call their legislators regarding this issue. And I guess what concerned me the most was that either on Saturday or Sunday at one of the conferences on one of our conference bills, the House threw language regarding privatization on the table. I think they gave the public the impression that the Senate was doing nothing so they're going to take the initiative. And I'm concerned about that because I think this bill affects everybody in the state, not just certain communities.

"So Mr. President, when do you feel you will allow the conferees to prepare ourselves so that we can come to a consensus on language early, rather than waiting to the very last minute and possibly we might just lose this measure?"

The Chair answered:

"Conferees will be named today."

Senator M. Ige further inquired:

"Do you know around what time?"

The President replied:

"They will be placed on the status sheets later today."

Senator M. Ige then asked:

"Later this afternoon?"

The Chair responded: "Yes."

Senator M. Ige continued:

"Mr. President, in that instance, when the conferees are named and the chairmen are like co-chairmen, if one of the chairmen disagrees, does that kill the measure?"

The President answered:

"There will be collaboration, but I don't think it will kill the measure."

Senator M. Ige then said: "Thank you."

At 12:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o'clock p.m.

Senator Bunda rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, following up with what the Senator from Kaneohe was talking about in reference to the privatization issue, I'd like to know if, before naming the conferees, the people you are considering naming could we somehow conference together before you actually come out with the list? Would that be possible?"

The Chair responded:

"That is possible."

Senator Bunda then said:

"Thank you, Mr. President."

#### APPOINTMENT OF CONFEREES

S.B. No. 944, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 944, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kanno, Chun Oakland, Levin, Baker, Fernandes Salling, Fukunaga, co-chairmen, Anderson as managers on the part of the Senate at such conference.

S.B. No. 1472, S.D. 2 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1472, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Bunda, Chun Oakland, Ige, M., Kanno as managers on the part of the Senate at such conference.

S.B. No. 1919, S.D. 1 (H.D. 2):

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1919, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Fukunaga, Fernandes Salling, co-chairmen, Ihara, Taniguchi as managers on the part of the Senate at such conference.

H.B. No. 108, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 108, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Chumbley, Matsunaga, Fernandes Salling, Fukunaga, co-chairmen, McCartney, Metcalf, Anderson as managers on the part of the Senate at such conference.

H.B. No. 417, H.D. 3 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 417, H.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Sakamoto, Taniguchi, Kawamoto, Tanaka, co-chairmen, Aki as managers on the part of the Senate at such conference.

H.B. No. 1012 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1012 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Chumbley, Matsunaga, co-chairmen, Sakamoto as managers on the part of the Senate at such conference.

H.B. No. 1023 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1023 and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1105, H.D. 2 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1105, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Levin, Aki, Fernandes Salling, co-chairmen, Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 1132, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1132, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, co-chairmen, Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 1138, H.D. 1 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1138, H.D. 1, and the request for a conference on the subject matter thereof,

the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1433, H.D. 2 (S.D. 3):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1433, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1731, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1731, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

H.B. No. 1798 (S.D. 1):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1798 and the request for a conference on the subject matter thereof, the President appointed Senators Fernandes Salling, Fukunaga, co-chairmen, Bunda, Chun Oakland, Ige, M., Kanno as managers on the part of the Senate at such conference.

H.B. No. 1831, H.D. 1 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1831, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Levin, co-chairmen, Metcalf, Slom as managers on the part of the Senate at such conference.

H.B. No. 2032, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2032, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Tam, Aki, Fernandes Salling, Kanno, Chun Oakland, co-chairmen, Kawamoto, Slom as managers on the part of the Senate at such conference.

#### ADJOURNMENT

At 12:34 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 3:00 o'clock p.m., Tuesday, April 22, 1997.

## EXHIBIT "A"

STATEMENT OF  
SENATOR AVERY B. CHUMBLEY  
REGARDING H.B. NO. 118 CD1  
RELATING TO UNMARRIED COUPLES

Mr. President,

I rise to speak in favor of this bill. This bill has been subject to a great deal of misrepresentation and unfair criticism. I would like to take this opportunity to address some of the expressed concerns.

1. Effective Date. The measure will take effect on July 1, 1997. Earlier versions of the measure would have made it effective upon ratification of the Constitutional Amendment proposed in H.B. No. 117 C.D. 1. Critics of the July 1 date argue that waiting would have been preferable because the rights contained in this bill would be unnecessary and potentially conflicting if same gender marriage is approved by the court or the electorate.

This does not establish a reason for delay. First, the Attorney General has advised that a conditioned effective date may raise Constitutional questions. Since such concerns may



serve as grounds for a Governor's veto, a date certain is preferable.

Second, H.B. No. 118 extends rights to more than same gender couples. All adult couples who are prohibited by law from marriage can become reciprocal beneficiaries under the bill. The rights of these citizens should not be held hostage to the Constitutional Amendment, and even if same gender marriage is legalized the bill would not be redundant since RB status would remain available to these couples.

And Third, to delay for eighteen months may hasten a ruling by the Supreme Court. The Court has not issued a final judgement on Baehr v. Miike and by the passage of this bill we will mitigate most of the actual damages suffered by the plaintiffs in that case. By providing timely access to actual relief we make it less necessary for the Court to rule and send a message that conflict and confrontation can be avoided. To delay access to these benefits will only encourage immediate judicial action.

Finally, delay would be unfair. If we agree, as we should, that at least these rights should be extended to nontraditional couples, we should do so now. It should offend our sense of justice to defer equal access to governmental benefits for no

good reason -- It should offend our understanding of fairness to condition this, or any, rights package.

2. Private Sector Costs. The largest red herring attack on the bill is that it will impose costs upon the private sector. Simply there is no evidence to support any such concern.

The bulk of the so-called debate centers around prepaid health insurance. The bill indeed requires that reciprocal beneficiary coverage be made available on an equal basis with family coverage. But nowhere in our law is it required that employers provide family coverage. This bill does not do so. So no private employer will be required to provide reciprocal beneficiary coverage.

Some employers voluntarily pay for family coverage. This bill would permit them to do so for reciprocal beneficiaries. But this will be a matter of employer choice. And if they do provide such coverage, evidence from the 100 private employers, 49 colleges, 62 state or local governments, and 22 unions that provide some form domestic partner benefit have yet to report a single case of significant adverse impact.

In fact, according to a recent study by the International Foundation of Employee Benefit Plans, provided to us by HMSA,

concludes that while a concern with increased costs have been raised, "What experience has borne out, does not support these fears. ... In general, there is no evidence to indicate that the average health care cost of domestic partner (same sex and/or opposite sex) will be significantly higher than that of a spouse." I have attached to my remarks a copy of the study for inclusion in the record..

3. Public Sector Costs. The only cost element that has been identified has been public sector health insurance participation. The State and County governments are required by law to pay sixty percent of family coverage. They will be similarly required to contribute to reciprocal beneficiary plans.

Cost figures as high as \$13,000,000 have been bandied about. We have met with the Executive Director of the State Health Fund to determine the foundation for such estimates. In fact, they are based upon someone's arbitrary guesses as to participation rates.

Participation by 10% of eligible single-coverage employees and retirees could yield such a cost. But available evidence indicates that such a figure is probably between ten and 100 times too high. In response to an inquiry initiated by our Committee, the Spectrum Institute examined participation rates in

various programs with a total of 35,000 employees (There are 48,000 government employees are covered in Hawaii.). The programs included Apple Computer, MCA/Universal, Viacom International, the Boston Globe and the Seattle Times. Participation rate was **one-third of one percent**. Even the City of San Francisco, the boogey man for homophobes, had a participation rate of .9% from among its 33,000 employees. I will include in the record the referenced communication and will be more than happy to make it available to any of my colleagues.

In fact, we can anticipate the participation may be even lower in Hawaii because we have almost achieved our State's goal of universal Health Insurance. Since employed single individuals are already covered by their employer, there is no reason to join the government program. So we are in all likelihood only talking about potential participation from among Reciprocal Beneficiary couples if one partner is unemployed or self-employed while the other is a government employee. Since approximately 90 percent of our citizens are covered by health insurance this should substantially reduce the pool.

Finally, though some costs may be incurred by government, the principle behind this bill requires that it be borne. Our State has a made a promise to pursue universal health insurance; our State has made a promise to participate in the funding of

insurance for the loved ones of its government employees; and our State has promised not to discriminate on the basis of sex or invade the privacy of its citizens. We have not put a price on keeping these promises. Exaggeration and fear should not let us do so.

I urge my colleagues to vote in favor of this bill.

## EXHIBIT "B"

HAWAII INS. DIV.

ID:808-586-2806

MAR 12 '97

10:30 No.007 P.01

BENJAMIN J. CAYETANO  
GOVERNOR



KATHRYN S. MATAYOSHI  
DIRECTOR

REYNALDO D. GRAULTY  
INSURANCE COMMISSIONER

STATE OF HAWAII  
INSURANCE DIVISION  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
P. O. BOX 3614  
HONOLULU, HAWAII 96811-3614  
250 S. KING ST., 5TH FLOOR  
HONOLULU, HAWAII 96813

March 12, 1997

The Honorable Wayne Metcalf  
The Senate  
State Capitol, Room 222  
Honolulu, HI 96813

Dear Senator Metcalf:

You inquired whether the Insurance Division anticipated any impact on mandated health benefits in the event the legislature passes a domestic partnership bill.

While a domestic partnership bill may result in two individuals being afforded the right to purchase family coverage (individual plus dependents), appropriate premiums will be charged for the family coverage. As such, the cost for services on mandated health benefits should not be impacted by redistribution of health premiums from individual only coverage to family coverage, if family coverage is afforded to domestic partners.

We hope this letter is responsive to your inquiry.

Very truly yours,

Shelley Santo  
Rate and Policy Analysis Manager

APPROVED

Rey Grauly  
Insurance Commissioner

## EXHIBIT "C"

BENJAMIN J. CAYETANO  
GOVERNOR

MAZIE HIRONO  
LT GOVERNOR



RAY K. KAMIKAWA  
DIRECTOR OF TAXATION

SUSAN K. INOUE  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF TAXATION  
P. O. BOX 259  
HONOLULU, HAWAII 96809

March 4, 1997

The Honorable Avery Chumbley, Co-Chair  
The Honorable Matt Matsunaga, Co-Chair  
Conference Committee  
State Capitol  
Honolulu, Hawaii 96813

RE: H.B. No. 118, H.D. 1, S.D. 1 (Relating to Unmarried Couples)

Dear Senators,

I am writing to you regarding the impact of the above referenced bill, on revenue and the Department of Taxation's (Department) operations. Under this proposal, a new status of reciprocal beneficiaries is created for people who are not eligible for marriage under chapter 572, Hawaii Revised Statutes. Certain requirements must be met before a reciprocal beneficiary relationship can be established, including a minimum age of 18 years of age and a minimum one year residency in Hawaii by each party. Enumerated benefits such as health care and tax benefits are extended to reciprocal beneficiaries.

To measure the impact on individual income tax revenue, we assumed the following hypothetical facts:

- 1% of the resident single and head-of-household returns, or 3,390, filed for tax year 1994 may be eligible to claim the new status.
- Using the 1993 and 1994 median adjusted gross income (AGI) for the single/head-of-household taxpayer, each eligible person claimed:
  - one personal exemption,
  - the standard deduction of \$1,500,
  - the low-income renter's tax credit,
  - the excise tax credit, and
  - the food tax credit.

Under this hypothetical, if all individuals representing that 1% group established a reciprocal beneficiary relationship *and filed income tax jointly*, additional revenue to the state may approximate

The Honorable Avery Chumbley  
The Honorable Matt Matsunaga  
March 4, 1997  
Page 2

\$400,000. In addition, if the taxpayers did not individually claim the renter's tax credit, an estimated \$200,000 in revenues may accrue to the state general fund.

As single-status taxpayers, each is eligible for the standard deduction of \$1,500 and the food, excise, and renter's tax credits. As joint filers, the allowable standard deduction declines from \$3,000 ( $\$1,500 \times 2$ ) to \$1,900, a decrease of \$1,100 per reciprocal beneficiary couple. Also, when taxpayers combine incomes resulting in AGI above \$29,999, they are no longer eligible for the low-income renter's tax credit. Their average tax liability, as a result, would exceed the amounts they would have paid as single taxpayers.

The Department expects that there will be no negative impact on the administration of the tax laws as each reciprocal beneficiary couple will file either jointly or separately as married couples currently do.

Thank you for this opportunity to comment on this bill. For your convenience, we have attached a list of all tax provisions mentioned in this proposal. If you have any questions, please call me at 587-1510 or your staff may call Johnson Lau at 587-1562. Thank you.

Very truly yours,



RAY K. KAMIKAWA  
Director of Taxation

c: The Honorable Mike McCartney  
The Honorable Wayne Metcalf

Enclosure

h0118a.mju



HB. No. 118, H.D. 1, S.D. 1  
RELATING TO UNMARRIED COUPLES  
TAX HRS SECTIONS REFERENCED IN BILL

SECTION 15 OF BILL	Substitute the words "spouse or reciprocal beneficiary" wherever the term "spouse" or like term appears.
HRS Sections 231-57	Apportionment of joint refunds according to gross income.
235-2.4	Operation of certain Internal Revenue Code provisions.
235-4	Income taxes by the State; residents, nonresidents, corporations, estates, and trusts.
235-7	Other provisions as to gross income, adjusted gross income, and taxable income.
235-12	Energy conservation; income tax credit.
235-51	Tax impose on individuals; rates.
235-52	Tax in case of joint return or return of surviving spouse.
235-54	Exemptions.
235-55.6	Expenses for household and dependent care services necessary for gainful employment.
235-55.9	Medical services excise tax credit.
235-61	Withholding of tax on wages.
235-102.5	Income check-off authorized.
236A-5	Allowance for exemptions, deductions, and credits.
SECTION 16 OF BILL	Substitute the term "family, including reciprocal beneficiary" wherever the words "family" or "families" or the like appear.
HRS Sections 231-25	Payment, enforcement of by assumpsit action or by levy and distraint upon all property and rights to property.
235-55.7	Income tax credit for low-income household renters.
SECTION 17 OF BILL	Substitute the term "reciprocal beneficiary" wherever the words "husband and wife" or the like appear.
HRS Sections 231-57	Apportionment of joint refunds according to gross income.
235-1	Definitions (net income tax)
235-16	County surcharge excise tax credit.
235-55.6	Expenses for household and dependent care services necessary for gainful employment.
235-55.9	Medical services excise tax credit.
235-61	Withholding of tax on wages.
235-93	Joint returns.
235-97	Estimates; tax payments; returns.
247-3	Exemptions (conveyance tax)
247-5	Imprinting of seal.
SECTION 19 OF BILL	Substitute the term "marriage or reciprocal beneficiary relationship" wherever the word "marriage" or like term appears.
235-5.5	Individual housing account
235-55.6	Expenses for household and dependent care services

EXHIBIT "D"

# SPECTRUM INSTITUTE

*A Non-Profit Corporation Promoting Respect For Human Diversity*

March 7, 1997

Matt Matsunaga and Avery Chumbley  
Co-chairs, Senate Judiciary Committee

---

Thomas F. Coleman  
Executive Director  
Family Diversity Project

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Re: Expected Costs to Employer in Offering  
Health Coverage to Same-Sex Couples

Dear Senators:

You asked my opinion regarding any increase in costs to employers if they were required to offer health coverage to same-sex partners of employees.

Based on several studies, excerpts of which I have faxed to you, such employers could expect a negligible increase in health care costs.

Spectrum Institute's recent analysis of employers providing domestic partner health coverage to same-sex *and* opposite-sex couples shows that even with such broad coverage only about 1% of the workforce signs up. Costs are the same as or less than for spouses. Since employers have reported that less than 30% of these domestic partners are same-sex couples, it would appear that employers offering such coverage only to same-sex couples should expect an increase in health benefits premiums of about .3% -- that is, **one-third of one percent**.

Another barometer is the sign-up rate at employers offering domestic partnership health benefits to same-sex couples only. Taking the average of the 35,810 workers at the following employers offering only same-sex coverage, about .3% signed up. Again, the result is the same, costs increase by only **one-third of one percent**.

Apple Computer:	4,700 employees, 42 signed up = .9%
Montefiore Medical Center:	9,000 employees, 36 signed up = .4%
MCA/Universal:	15,000 employees, 15 signed up = .1%
Viacom International:	5,000 employees, 18 signed up = .4%
Boston Globe:	260 employees, 1 signed up = .4%
Seattle Times:	1,850 employees, 5 signed up = .3%

Obviously, there will be some price associated with adding same-sex partners onto a group health plan. No health care provider adds people without charging the employer any fee whatsoever. However, from all available data, the increase in cost -- one-third of one percent -- is negligible.

Furthermore, from the various studies I have reviewed, and from interviews with benefits managers at many employers, there have been no adverse financial consequences from adding domestic partnership health or dental benefits. Claims experiences have been very good, with the claims of same-sex partners being significantly *less than* the claims filed by married couples, mostly due to the fact that married couples sometimes have high costs associated with complicated pregnancies (a premature baby can cost hundreds of thousands of dollars).

*SPECTRUM INSTITUTE*

*Senators Chumbley  
and Matsunaga  
March 7, 1997*

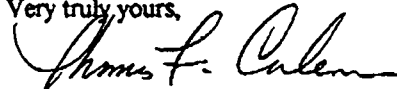
Hewitt Associates, one of the world's most prestigious employee benefits consulting firms, has reported: "Experience thus far indicates employers are at no more risk when adding domestic partners than when adding spouses. In fact, experience indicates the cost of domestic partner benefits is lower than was anticipated."

The International Foundation of Employee Benefit Plans has reported: "A related cost concern frequently expressed by employers is that an employee will falsely portray a domestic partnership to obtain health insurance coverage for a sick friend. This type of abuse, however, has not been reported among employers providing the benefit." The Foundation also has reported that employers have found that "domestic partnership coverage is the same as or less than spousal or other dependent coverage" when it comes to cost.

Your request for information was quite timely. This week I have been busy preparing a presentation about domestic partnership employment benefits for two business groups that are meeting in Indianapolis later this month. I will also be speaking to a large group of employers, insurers, and risk managers in Atlanta on the same subject this September.

If there is any other information that we can provide to the Legislature as it attempts to reach a decision on benefits for "reciprocal beneficiaries," please do not hesitate to call on us.

Very truly yours,



THOMAS F. COLEMAN



# SELF-INSURANCE INSTITUTE OF AMERICA, INC.

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\* also serve as a Director

January 29, 1997

Thomas F. Coleman  
President  
Spectrum Institute  
P.O. Box 65756  
Los Angeles, CA 90065

Dear Mr. Coleman:

On behalf of the Self-Insurance Institute of America, Inc., we would like to express our appreciation for your agreeing to participate in our Eighth Annual MGU/Excess Insurers Executive Forum and Seventh Annual Third Party Administrator Executive Forum. The forums will be held March 18-20, 1997, at the Omni Severin Hotel, Indianapolis, Indiana. We are very fortunate to be able to draw on your professional expertise for the benefit of our attendees.

We have scheduled you to address the group on the following day and subject matter:

**MGU Forum - General Session #5**

**Domestic Partnering - A Risk Question**

**Date/Time: Wednesday, March 19, 1997 9:45 a.m. - 10:45 a.m.**

**TPA Forum - General Session #4**

**Are Domestic Partner Benefits in Your Clients' Future?**

**Date/Time: Wednesday, March 19, 1997 2:00 p.m. - 3:15 p.m.**

A copy of the Forum draft has been enclosed for your review. The final program and actual brochures are being printed and should be out in the mail soon.

**EIGHTH ANNUAL MGU/EXCESS INSURER EXECUTIVE FORUM**  
**Self Insurance Institute of America, Inc.**  
**Indianapolis / March 18, 1997**

**Domestic Partnering -- A Risk Question**  
**Presenter: Thomas F. Coleman, Esq.**

**OUTLINE OF PRESENTATION:**

1. From the weekly paycheck as the only form of compensation to a wide diversity of benefits: How did we get to this point and where do domestic partnership benefits fit in?
2. Which public and private employers are currently offering domestic partnership benefits?
3. How do these employers define eligibility criteria?
4. What are the risks associated with adding or not adding domestic partnership benefits?
5. What are the costs associated with domestic partnership benefits?
6. Are domestic partnership benefits taxable to the employee?
7. How is public opinion running on the issue of domestic partnership benefits?
8. Does the Defense of Marriage Act passed by Congress effect such benefits plans?
9. If gay marriage is legalized in Hawaii, how will that effect businesses on the mainland?
10. Are there any political developments indicating future trends for domestic partnership benefits?

**HANDOUTS: (Attached)**

- A. "Domestic Partner Benefits: Meeting the Needs of Unmarried Workers," *The Self-Insurer*, Sept. 1996.
- B. "One in 10 firms extend benefits to life partners," *USA Today*, January 24, 1997.
- C. "Employers Providing Domestic Partner Benefits: Cost Analysis," *Spectrum Institute*, March 1997.
- D. Sample information sheet and eligibility affidavit used by the City of Los Angeles
- E. Tax, ERISA, and COBRA Aspects of Domestic Partnership Benefits
- F. "Domestic Partners and Employee Benefits, excerpts from Hewitt Associates report, 1994
- G. Memo from Administrative Office of US Courts on Impact of Defense of Marriage Act on 'family' benefits
- H. Results of a 1997 Field Poll on public opinion in California regarding domestic partnership benefits
- I. "Working domestic partner health plans win praise," *Newsday*, March 26, 1995
- J. San Francisco's Mandate to Private Companies Doing Business with the City / newspaper articles
- K. Philadelphia's proposal to mandate domestic partner benefits by private businesses / newspaper article
- L. Chicago's Domestic Partnership Plan: One Step Forward, Two Steps Back / article
- M. International Developments: Canada, Spain, Netherlands, Brazil / articles
- N. Information about Spectrum Institute and its executive director Thomas F. Coleman

EMPLOYERS PROVIDING DOMESTIC PARTNER BENEFITS TO BOTH OPPOSITE-SEX AND SAME-SEX PARTNERS: COST ANALYSIS

Employer	Year DP Plan was Instituted	Total Eligible Employees in Workforce	Number Signed Up as DP's	Percent Signed Up as DP's	Information Reported Regarding Costs
Ben & Jerry's (VT)	1989	492	24	5.0%	No significant increase in costs
Berkeley City (CA)	1984	1,475	116	7.9%	DP's constitute only 2.8% of total health costs
Blue Cross of Massachusetts (MA)	1994	6,000	78	1.3%	Cost information not reported by research source
Borland International (CA)	1992	1,200	49	4.1%	Cost information not reported by research source
Cambridge City (MA)	1993	500	4	.8%	Cost information not reported by research source
International Data Group (MA)	1993	1,600	14	.9%	Cost information not reported by research source
Levi Strauss & Co. (CA)	1992	23,000	690	3.0%	Costs are the same as or less than for spouses
Laguna Beach City (CA)	1990	226	6	2.7%	Costs are the same as for spouses
Los Angeles City (CA)**	1994	34,500	448	1.3%	Costs are the same as for spouses; no adverse experience
National Public Radio (Wash. DC)	1993	450	5	1.1%	Cost information not reported by research source
New York State**	1995	320,000*	2,000	.6%	State pays 25% of cost / no adverse experience / * includes retirees
Sacramento City (CA)**	1995	4,000	15	.4%	City doesn't pay for dpts; worker pays but gets benefit of group rate
San Diego City (CA)**	1993	9,300	50	.5%	City doesn't pay for dpts; worker pays but gets benefit of group rate
San Francisco City (CA)	1991	32,900	296	.9%	City doesn't pay for dpts; worker pays but gets benefit of group rate
San Mateo County (CA)**	1992	4,200	138	3.3%	Cost information not reported by research source
Santa Cruz City (CA)**	1986	800	23	2.9%	Costs are the same as for spouses / non-union not eligible
Santa Cruz County (CA)	1990	2,100	33	1.6%	Costs are the same as for spouses
Seattle City (WA)**	1990	10,000	500	5.3%	2.5% of total health costs / less than spouses; no adverse experience
Vermont State**	1994	9,000	280	3.1%	State pays 80% of cost for spouses and dpts; no adverse experience
Ziff Communications (NY)	1993	3,500	75	2.1%	Cost information not reported by research source
<b>Total</b>		<b>465,203</b>	<b>4,844</b>	<b>1.0%</b>	<b>Costs are same or less than for spouses / no adverse consequences</b>

\*\* Employee benefits managers at these employers were personally interviewed by Spectrum Institute during March 5-7, 1997. (Revised 3-7-97)

Other sources: "Domestic Partner Benefits: Employer Considerations," Employee Benefits Fourth Quarter 1994, International Foundation of Employee Benefit Plans, "Domestic Partners and Employee Benefits," Research Paper, November 1994, Hewitt Associates, "Domestic Partner Health Care Eligibility," Report to the American Federation of Nurses, January 1993, John M. Fickelwitz and Associates, "Domestic Partner Benefits on the Upswing," Employee Benefits Management, Report No. 44, October 27, 1992, Commerce Clearing House, "Understanding the Domestic Partner Dilemma: Perceptions of Employer and Insurer," Report, October 1993, City of West Hollywood, "Other Employers with Domestic Partnership Benefits," National Lesbian and Gay Journalists Assn., March 1997, www.journalists.sbu.edu/www/ligiv/dp-ompo.html, "Recognizing Non-Traditional Families," Special Report #38, February 1991, Bureau of National Affairs.

## OCTOBER 1993

This study is a project of the City of West Hollywood, California, in furtherance of its policy of non-discrimination on the basis of marital status or sexual orientation. The research was performed, and the report written by Ms. Elizabeth Murphy, a highly talented and exceptionally capable person whom it was the City's good fortune to be able to hire as an intern during the summers of 1992 and 1993. We all look forward with happy anticipation to the day when Ms. Murphy will begin her practice of law, and we wish her well in her remaining studies toward that goal.

## THE CITY OF WEST HOLLYWOOD, CALIFORNIA

Sal Guarriello, Mayor  
Abbe Land, Mayor Pro Tem  
John Heilman, Councilmember  
Paul Koretz, Councilmember  
Babette Lang, Councilmember

City Manager: Paul D. Brotzman  
Assistant City Manager: Bob Edgerly  
Human Resources Officer: Kevin Fridlington

Personnel Assistant, and Coordinator of Domestic Partnership Meetings at the 1992 and 1993 League of California Cities Conferences, Los Angeles (Oct. 1992), and San Francisco (Oct. 1993): B.J. Sultan

City of West Hollywood  
8611 Santa Monica Boulevard  
West Hollywood, California 90069  
(310) 854-7400  
213 248 6400

**IV. Employers' Experience With Benefits For Domestic Partners**A. Government Employers<sup>1</sup>

## 1. California:

Berkeley

The City of Berkeley offers health and dental insurance, leave benefits (sick and bereavement), and hospitalization for domestic partners of city employees. These benefits were added various employee unions, in an effort to eliminate discrimination. The city hoped to achieve this goal by equalizing employee benefits between married and unmarried employees, treating employees fairly and with respect, and providing security with employees' choice of lifestyle. Overall, Berkeley's impression of health benefits for domestic partners is that it is, ". . .absolutely doable, absolutely fair . . .it DOES work."<sup>2</sup> In order to enroll a partner in the city's benefits plan, the employee and his or her partner must sign and file a standard affidavit of domestic partnership.<sup>3</sup> Although the couple must have lived together for at least six months prior to obtaining benefits, the city does not require proof of cohabitation, since it is not required of married couples.

<sup>1</sup>Unless otherwise specified, all of the following information was obtained directly from officials in the organizations named.

<sup>2</sup>Loni Hancock, Mayor, stated during presentation at American Society for Public Administration Annual Conference, July 1993.

<sup>3</sup>See Appendix C.



Oakland

The City of Oakland extended its vision and dental benefits plans, as well as sick and bereavement leave to domestic partners of non-sworn city employees on February 1, 1993.<sup>4</sup> Benefits are available to partners regardless of gender, and enrollment requires a standard Declaration of Domestic Partnership form.<sup>5</sup> The waiting period between successive partnerships is one year.

As of August 1993, 49 couples have enrolled, 70 percent of which are opposite-sex. The city has encountered no opposition, fraud or other problems associated with domestic partnership benefits.<sup>6</sup>

Santa Cruz

Santa Cruz offers medical, dental, vision and hospitalization insurance, and sick and bereavement leave to all city, county, and transit district employees who have domestic partners. These benefits were first offered on May 1, 1986, as the result of bargaining between the city and the Service Employees International Union (SEIU).<sup>7</sup> By 1988 two other unions had negotiated these benefits in their contracts.

<sup>4</sup>City of Oakland, "Administrative Instruction, Domestic Partners Relationship," February 1, 1993.

<sup>5</sup>See Appendix "C."

<sup>6</sup>Letter from Denise Monroe, Benefits Representative, dated August 11, 1993.

<sup>7</sup>City of Santa Cruz Council, Resolution No. NS-17, 185, "Resolution of the council of the City of Santa Cruz ratifying the 1986-1988 memoranda of understanding with the City of Santa Cruz Service and Supervisory Employees and adopting a revised compensation plan," September 23, 1986.

The city employs 675 people, 23 of whom have enrolled their domestic partners in the benefits plan. Of these, 3 are same-sex and 20 are opposite sex couples. While there have been up to 30 partners enrolled in the past, the drop is attributed to the IRS letter ruling to Seattle declaring that domestic partner health benefits are taxable income.<sup>8</sup>

Santa Cruz is primarily self-insured, but is re-insured by Lexington Insurance of Boston. Lexington agreed to add domestic partners to the group plan without requiring a surcharge.

The premiums for health insurance benefits for domestic partners are paid entirely by the city, for employees represented by SEIU. Employees represented by either of the other two unions must pay a portion of the premium for spousal and domestic partner coverage. As of September 1993, there have been no AIDS or other fraudulent claims filed by domestic partners, and there has been no additional cost associated with extended health benefits.<sup>9</sup> In order to enroll, the employee and his or her partner must file an affidavit, and provide proof that they have lived together for at least one year.

<sup>8</sup>See "Tax Implications," *Supra*.

<sup>9</sup>Letter from Erwin Young, Director of Personnel, dated August 6, 1993.

West Hollywood

West Hollywood offers, health, dental and vision insurance, sick, bereavement and unpaid leave for city employees' domestic partners.<sup>10</sup> After being turned down by 16 carriers, the city decided to self-insure health coverage for domestic partners in 1989. For the first half of 1989, costs to the city for health coverage dropped to \$35,000, from the estimated \$100,000 the city would have had to pay a commercial carrier.<sup>11</sup> There is a \$20,000 cap per year on domestic partner claims. Although West Hollywood has tried repeatedly to get its HMO, Kaiser South, to recognize domestic partners, the city has had no success.

From July 1991 to July 1992, domestic partners filed a total of \$7,112.72 in health claims, none of which were AIDS related. This figure represents less than two percent of the total health claims of \$450,000 filed during that period. Currently there are five enrolled partners out of 135 benefits-eligible employees. Of these, two are same-sex male, one is same-sex female, and two are opposite sex couples.

The City has also offered general registration for domestic partners since 1985. As of October 1993, 395 partnerships have been filed, and 70 have been terminated. At least 15 of the

<sup>10</sup>City of West Hollywood, West Hollywood Municipal Code, Chapter 4, Part B, "Domestic Partnerships;" Ordinances #21 and #22.

<sup>11</sup>William Celis III, "Benefits for Live-In Mates of Domestic Partners face Obstacles," Wall Street Journal, July 1989.

terminations were due to the death or one of the partners. 336 of these have been same-sex male, 82 same-sex female, and 77 have been opposite sex couples. Many of these registered partnerships have lasted over ten years, and some twenty years or more. Landlord-tenant rights, jail and hospital visitation rights are afforded to those who register their partnerships with city hall. Unlike many cities, West Hollywood does not require that partners be romantically involved in order to register as a domestic partnership. Thus, senior citizens or others who have budget constraints may use domestic partnership to ease the cost of living.

#### Laguna Beach

Laguna Beach has offered medical, dental and sick leave to domestic partners of city employees since October 1990,<sup>12</sup> and general registration to city residents since April 1992.<sup>13</sup> Currently 6 of 226 employees have enrolled domestic partners in the health plan. One of these is homosexual, and the remaining five are heterosexual partnerships. Domestic partner health insurance is self-funded by Laguna Beach up to \$50,000 per person per year, and reinsured by Hartford Life. Premiums are the same for domestic partners and spouses.

12 "Health Plan Coverage for Domestic Partners of City Employees," memorandum by Robert Gentry, Council Member.

13 City Council of the city of Laguna Beach, Ordinance No. 1230, "An Ordinance of the city council of the City of Laguna Beach adding Chapter 1.12 to the Laguna Beach Municipal Code relating to domestic partnerships," April 21, 1992.

The city reports that costs for domestic partner coverage are no higher than spousal coverage. Claims filed by domestic partners have been negligible, and there have been no fraudulent or AIDS-related claims.

General registration was also made available in July 1992. So far, 42 couples have registered, 95 percent of which are homosexual. General registration affords partners visitation rights in jails and hospitals, as well as durable power of attorney health care and other authorized purposes.

Santa Cruz County

Santa Cruz offer medical, dental and hospital insurance, and visitation, sick and bereavement leave to county employees.<sup>14</sup> The premiums for domestic partner medical coverage must be paid entirely by employees. The health plan is self-funded, with 35 partners out of two thousand employees currently enrolled. Santa Cruz has had no AIDS claims filed by domestic partners, and has experienced no other unusual costs associated with the extended coverage.<sup>15</sup>

<sup>14</sup>County of Santa Cruz, "Affidavit of Domestic Partnership."

<sup>15</sup>Letter from Leticia Luna, Employee Insurance Clerk dated August 20, 1993.

San Matteo County

In 1990, San Matteo added two new groups of dependents to its self-funded dental and Employee Assistance Programs by replacing the term "traditional family" with "extended family. The first group is "Young Adult Dependents" (YAD's), employees up to age 30, and the second is domestic partners. A domestic partner is defined as an unrelated adult who resides in the household of the employee, and who meets all of the criteria listed in the "Affidavit of Domestic Partnership."<sup>16</sup>

With the addition of these new categories of dependents, the county began offering sick and bereavement leave for partnere4d employees. As of September 1993, 65 employees have enrolled domestic partners for purposes of these leave benefits. Eighty percent (80 percent) of these relationships are heterosexual.

In August 1992, all medical, dental and vision insurance was made available to domestic partners and "YAD's." As of September 1993, 139 domestic partners have enrolled in the county's various health coverages (103 medical, 123 dental, 123 vision).<sup>17</sup>

<sup>16</sup>See Appendix "C", infra.

<sup>17</sup>Letter from Paul Hackleman, Benefits Manager, dated September 2, 1993.

Health coverage for domestic partners is provided by Kaiser and Bay Pacific, the county's two HMO's. Kaiser added a surcharge of less than one dollar per month per partner, to be in effect for three years, in spite of opposition from county officials.

Conversely, Bay Pacific, now AETNA, decided to add a surcharge only if a year's experience proved unusually high utilization. Since the first year proved no such additional utilization, AETNA has renewed its contract with the county with no added charge for domestic partner coverage.

The county has encountered no fraudulent or AIDS related claims among domestic partners of its employees.

2. Connecticut:

Hartford

As of July 1, 1993, gay or unmarried couples from anywhere in Connecticut will be able to register their relationships with City Hall.<sup>18</sup> On the first day that registration was available, five couples (three female, two male) obtained the official recognition of their relationships.

<sup>18</sup>"A Sort-of-Out-of-Wedlock Marriage," The Hartford Courant.



### 3. Ben & Jerry's Homemade

Ben & Jerry's Homemade, Inc. has recognized domestic partnerships since October 1989. Employees may enroll their domestic partners in the company's health and dental plans. Neither Ben & Jerry's nor its carrier, Consumers United, has experienced any increase in cost as the result of offering coverage to domestic partners.

Ben & Jerry's pays the entire premium for salaried employees, and part of the premium for domestic partners. Of a total employee pool of 498, approximately 25 have signed up for coverage.<sup>19</sup> Stanford University reports that "most" of the enrolled partnerships are heterosexual.<sup>20</sup> Ben & Jerry's has encountered no arguments against domestic partnership recognition.

In order to qualify for benefits, the couple must fill out a declaration of domestic partnership which states that they have lived together for at least three months, and that neither has had another domestic partner during that time.

Children of the domestic partner may also be covered, as long as they have lived with the employee for at least 3 months, are not related, and rely on the employee for their general care and welfare.

<sup>19</sup>Conversation with Cathy Chaplin, Employee Benefits, October 7, 1993.

<sup>20</sup>Stanford.

#### 4. Levi Strauss

Levi Strauss began offering medical coverage to domestic partners on June 1, 1992, in response to employee suggestion.<sup>21</sup> Although this coverage is generally the same as that which is offered to spouses, there are some medical underwriting provisions for the first year, which limit the benefits available to domestic partners during that time.

Levi's is largely self-insured, and pays 88% of the health premiums for domestic partners. Employees who elect domestic partner coverage must pay the remaining 12% of the cost, and the value of the benefit is considered taxable income to the employee.<sup>22</sup>

During Levi's open enrollment period for its "front office" employees (located in the Bay Area or in managerial positions in other locations), only 5% of 3,300 employees requested information, and only 1% actually signed up for health coverage. Levi Strauss employs more than 23,000 people. Approximately 60% of enrollees are opposite-sex, another 35% are same-sex male, and a trace are same-sex female.

Levi's has had a, ". . .very favorable experience (with domestic partner benefits). We were expecting to see a cost, and we were all surprised that 15% of employee contribution has exceeded claims, representing a profit."<sup>23</sup> In addition, support

21Remarks by Reese Smith, Director of Employee Benefits, "Extending Our Benefits," October 19, 1992.

22Levi Strauss & Co., Inter-Office Correspondence, "Benefits for Domestic Partners" April 19, 1993.

23Conversation with Reese Smith, Director of Employee Benefits August 5, 1993.

for the added benefits among employees has been "huge," and the company has experienced no fraudulent or AIDS-related claims among insured partnerships.

5. Lilienthal & Fowler, San Francisco, California

Lilienthal offers health benefits, as well as sick and bereavement leave for domestic partners of employees.<sup>24</sup>

<sup>24</sup>Partners Task Force, at p. 57.



## Employee Benefits Management

# Directions

Report No. 44

Part 1 of 2 Parts ■ October 27, 1992

### Domestic partner benefits on the upswing

*The number of employers extending health benefits to domestic partners is on the rise as fears of increased AIDS claims begin to dissipate*

AT A TIME WHEN MOST EMPLOYERS are trying to cut health care costs wherever possible, a small but growing number of employers are extending medical benefits to employees' domestic partners.

The latest to join the fold is Silicon Graphics, Inc., the nation's leading maker of visual computing systems, which on October 1 extended employee benefits to same-sex partners. Silicon Graphics, of Mountain View, Cal., joins Lotus Development Corp., Levi Strauss & Co., Ben & Jerry's Homemade, the American Psychological Association, Greenpeace, the American Civil Liberties Union, and the cities of Berkeley and Santa Cruz, Calif., Madison, Wis., and Seattle, as entities that have extended benefits to domestic partners.

**Fear of AIDS claims.** The employers that have adopted domestic partners' benefits so far have done so largely as a result of strong employee demand, a desire to gain an advantage in the competition for employees, or a belief that it is the right thing to do. A critical concern of many of these employers, almost all of whom are self-insured, was the possibility that such benefits would raise the number of AIDS-related

cases and thus the cost of providing health care. But what little information is currently available suggests that the fear may be unfounded.

Seattle, for example, reports that its claims experience for domestic partners has been the same as for married or single employees. Berkeley has found essentially the same thing, and dropped the 1.5% surcharge it initially charged on medical premiums for domestic partners. And for insurers, the cost of AIDS claims is not as severe as originally thought, according to a survey by the St. Louis office of Milliman & Robertson, Inc. More than 72% of the insurers said that AIDS claims made up less than 1% of total claims paid.

**Legal problems raised.** The decision to extend partners' benefits, however, raises other problems that employers need to consider before they follow suit, according to Thomas Coleman, executive director of the Family Diversity Project in Los Angeles, a nonprofit group that fights marital status discrimination.

For example, in extending the benefit to domestic partners, some companies only extend the benefit to same-sex partners on the theory that they are the only ones who are for-

bidden by law to marry. If the employer is in a state or a locality with a law prohibiting sexual orientation discrimination, the decision may engender lawsuits from heterosexual unmarried employees on the basis that the company is guilty of a type of reverse sexual orientation discrimination, he says.

Employers also need to consider the ramifications of their decision to ask same-sex employees to sign a "spousal equivalency" affidavit that has not been common among employers that have extended the benefit to domestic partners. Coleman warns that the affidavit could create property or status rights in some states. If so, employers may subject themselves to charges that they failed to adequately advise employees of the implications of signing the affidavit, he says. □

**Most insurers say AIDS claims make up less than 1% of total claims paid.**

#### Spotlight

**401(K) PLANS**  
More employers jump on the 401(k) bandwagon

**HEALTH CARE REFORM**  
Unions might lose out if pay or pay system is adopted

## Employer Experience and Costs

"What will it cost"? This question tops the list of employer concerns when discussion turns to offering domestic partner benefits. With health costs rising, employers tread lightly when expanding coverage and exposing themselves to additional risks. Generally speaking, and contrary to warnings and predictions by insurers and others, extending coverage to domestic partners has not resulted in statistically significant differences in cost. Adverse selection has not been a problem.

Experience thus far indicates employers are at no more risk when adding domestic partners than when adding spouses. In fact, experience indicates the cost of domestic partner benefits is lower than was anticipated. Part of the lower cost can be attributed to the fact that eligible employees tend to be younger and, as a result, healthier. Enrollment rates among domestic partners have been lower than predicted, probably because many domestic partners are already covered by their own employers' plans. Also, any increased risk of AIDS among male same-sex couples appears to be offset by a decreased risk among female same-sex partners. And same-sex domestic partners have a near-zero risk of pregnancy.

Typically, only up to 2% to 3% or less of all employees elect domestic partner coverage at organizations offering the benefit. In planning for domestic partner coverage, many employers had assumed or anticipated enrollment rates of around 10%. For example, fourteen Lotus employees initially signed up for domestic partner coverage, for a 0.45% sign-up rate. Montefiore Medical Center in the Bronx, NY reported a 0.29% enrollment rate (20 out of 7,000 employees). Apple Computer reported a 0.9% initial enrollment figure, or 42 employees out of approximately 4,700 eligible employees. Levi Strauss had 230 out of 25,000 employees enroll their domestic partners for a 1.0% sign-up rate. Public sector employers experienced somewhat higher enrollment rates: 5.6% for West Hollywood, CA; 2.3% for Seattle, WA; and 1.4% for Berkeley, CA. However, it should be noted that all three public employers extend coverage to both same-sex and opposite-sex domestic partners. Only Levi Strauss does so among the private employers mentioned above.

Overall, approximately 67% of the couples electing domestic partner coverage are opposite-sex couples. In Berkeley, CA, 80% of the couples were opposite-sex couples; in Seattle, WA, 70% were opposite-sex; and at Levi Strauss, 60% were opposite-sex couples. This enrollment pattern lowers the risk of catastrophic claims from AIDS victims. Proponents of domestic partner coverage also point out that, according to the most recent Federal AIDS Cost and Utilization Survey, the average lifetime medical cost of HIV treatment is

\$119,000 per patient. By way of comparison, the cost of a kidney transplant can be as high as \$200,000 and the cost of premature infant care can run anywhere from \$50,000 to \$1,000,000.

Insurance company attitudes have not changed much over the last few years as some experience data becomes available. Many of the large, well-known insurers still refuse to cover domestic partners, although some (including Aetna Life & Casualty, CIGNA, and Prudential) have now started offering the coverage in at least some parts of the country.

Self-insured employers have an advantage when it comes to covering domestic partner health benefits. A self-insured employer can generally expand coverage without regard to any limitations that may be imposed by an insurance company, HMO, etc.

## EXHIBIT "E"

## Appendix

Those entities marked with an asterisk (\*) offer bereavement and/or family illness leave only. Unless otherwise noted, other listed employers offer benefits that include some form of health insurance coverage for domestic partners of employees.

## Private Employers

Most of the plans noted below define *domestic partners* to include same-sex couples as well as unmarried heterosexual partners. Benefits vary widely.

- ▶ Adobe Systems, Mountain View, Calif.
- ▶ American Civil Liberties Union, San Francisco and national offices
- ▶ American Cyanamid\*
- ▶ American Friends Service Committee, Philadelphia, Pa.
- ▶ American Psychological Association, Washington, D.C.
- ▶ Apple Computer, Cupertino, Calif.
- ▶ Bank America, San Francisco, Calif.\*
- ▶ Ben & Jerry's Homemade, Waterbury, VT
- ▶ Blue Cross and Blue Shield of Massachusetts
- ▶ Borland International Inc., Scotts Valley, Calif.
- ▶ Boston Globe, Boston, Mass.
- ▶ Bureau of National Affairs (BNA), Washington, D.C.
- ▶ Canadian Press (wire service), Canada
- ▶ Capital Cities/ABC
- ▶ Colgate-Palmolive
- ▶ Consumers United Insurance Company, Washington, D.C.
- ▶ Cray Research\*
- ▶ Dayton Hudson
- ▶ Dow Chemical\*
- ▶ Eastman Kodak, Rochester, N.Y.\*
- ▶ Episcopal Diocese of Newark, New Jersey\*
- ▶ Fannie Mae (Federal National Mortgage Association), Washington, D.C.
- ▶ Federal National Mortgage Association
- ▶ Field Museum of Natural History, Chicago, Ill.
- ▶ First Bank System\*
- ▶ First Chicago Corporation\*
- ▶ Fred Hutchinson Cancer Research, Seattle, Wash.
- ▶ Gardener's Supply, Burlington, VT
- ▶ Genentech, San Francisco, Calif.
- ▶ Greenpeace International, Washington, D.C.
- ▶ Group Health Cooperative of Puget Sound (HMO), Seattle, Wash. (implemented later in 1994)
- ▶ Harley-Davidson (use of onsite facilities)
- ▶ Home Box Office (HBO) (Time Warner, Inc.), New York, N.Y.
- ▶ Howard, Rice, Nemerovski, Canady, Robertson & Falk, San Francisco, Calif.
- ▶ Human Rights Campaign Fund, Washington, D.C.
- ▶ IBM (nonhealth coverage benefits)
- ▶ InterMedia Partners, cable operators
- ▶ Irell & Manella
- ▶ Krum & Forster Commercial Insurance (for unmarried heterosexual couples in common-law states)
- ▶ KQED, San Francisco, Calif.
- ▶ Lambda Legal Defense & Education Fund, New York, N.Y.
- ▶ Levi Strauss & Co., San Francisco, Calif.
- ▶ Lilienthal & Fowler, San Francisco, Calif.
- ▶ Los Angeles Philharmonic, Calif.
- ▶ Lotus Development Corp., Cambridge, Mass.
- ▶ Mattel\*
- ▶ MCA/Universal, Universal City, Calif.
- ▶ Microsoft Corporation, Redmond, Wash.
- ▶ Milbank, Tweed, Hadley & McCloy, New York, N.Y.
- ▶ Millennium Global Inc., Clearwater, Fla.
- ▶ Minnesota Communications Group (Minnesota public radio), Minneapolis, Minn.
- ▶ Montefiore Medical Center, Bronx, N.Y.
- ▶ Morrison & Forster (nationwide, all offices)
- ▶ National Center for Lesbian Rights, San Francisco, Calif.
- ▶ National Gay & Lesbian Task Force Policy Institute, Washington, D.C.
- ▶ National Organization for Women, Washington, D.C.
- ▶ National Public Radio, Washington, D.C.
- ▶ New York Life & Annuity\*
- ▶ New York Times, New York, N.Y.
- ▶ NEXT Computer, Redwood City, Calif. (type unknown)
- ▶ Northern Telecom, N.C.
- ▶ Northwest Airlines (nonhealth coverage benefits)
- ▶ Ontario, Canada (all private companies must provide dental, prescription and health care plans)
- ▶ Oracle Systems Corp.
- ▶ Orrick, Herrington & Sutcliffe, San Francisco, Calif.
- ▶ Pacific Gas & Electric, San Francisco, Calif.\*
- ▶ Pacific Mutual Life\*
- ▶ Pacific Telesis Group\*
- ▶ Para Transit, Inc., Sacramento, Calif.
- ▶ Polaroid, Cambridge, Mass.\*
- ▶ Principle Mutual Life
- ▶ Research Triangle Park, N.C.
- ▶ Riggs National Corporation\*
- ▶ RJR Nabisco Holdings (nonhealth coverage benefits)
- ▶ Schiff, Harden & Waite, Chicago, Ill.
- ▶ Seattle Mental Health Institute, Seattle, Wash.
- ▶ Seattle Times, Seattle, Wash.
- ▶ Silicon Graphics, Mountain View, Calif. (nonhealth coverage benefits)
- ▶ Sony Music Co.\*
- ▶ Sony Pictures Entertainment
- ▶ Sprint, Dallas, Texas (relocation aid only)
- ▶ Starbucks Coffee Company, Seattle, Wash.
- ▶ Sun Microsystems
- ▶ Teachers Insurance & Annuity\*
- ▶ Time Magazine Co., New York, N.Y.\*
- ▶ Time Warner\* (corporate staff)
- ▶ Trans America\*
- ▶ Trans America Occidental Life\*
- ▶ United Church Board for Homeland Ministries (United Church of Christ)
- ▶ University Students Cooperative Association, Berkeley, Calif.
- ▶ US Bancorp\*
- ▶ US West\*
- ▶ Vermont Girl Scouts Council, Vt.
- ▶ Viacom International (MTV, Showtime), New York, N.Y.
- ▶ Walker Art Center, Minneapolis, Minn.\*
- ▶ Warner Brothers (Time Warner, Inc.), Burbank, Calif.
- ▶ Wells Fargo & Company\*
- ▶ WGBH, Boston, Mass.
- ▶ Woodward and Lothrop, Inc., Washington, D.C. (merchandise discounts only)
- ▶ Wyatt Company

## Appendix

### Colleges

Numerous colleges provide health and other benefits for domestic partners of faculty and staff. In some cases, partners of students also receive consideration, including eligibility for married student housing and the use of college facilities. Conditions and benefits vary widely among the campuses listed below.

- ▶ Bowdoin College, Brunswick, Maine
- ▶ Brown University, Providence, R.I.
- ▶ Carnegie Mellon, Pittsburgh, Pa.\*
- ▶ Clark University, Worcester, Mass.
- ▶ Columbia University, New York, N.Y.
- ▶ Dartmouth College, Hanover, N.H. (same-sex partners only)
- ▶ Florida International University, Miami, Fla.
- ▶ General Theological Seminary (Episcopal—housing for same-sex committed couples who are students)
- ▶ Georgia State University, Atlanta, Ga.
- ▶ Grinnell College, Grinnell, Iowa
- ▶ Harvard University, Cambridge, Mass. (must register domestic partner in Cambridge or other city)
- ▶ Hiram College, Hiram, Ohio (unofficial)
- ▶ Ithaca College, Ithaca, N.Y. (Human Rights Commission found housing restrictions unfair to unmarrieds)
- ▶ Massachusetts Institute of Technology, Cambridge, Mass.
- ▶ Middlebury College, Middlebury, Vt.
- ▶ Mission College, Santa Clara, Calif.
- ▶ Moorehead State University, Moorhead, Minn. (unofficial)
- ▶ New York University Law School, New York, N.Y.
- ▶ New York University, New York, N.Y. (same-sex partners only)
- ▶ North Dakota University, Grand Forks, N.D.
- ▶ Northeastern University, Boston, Mass.
- ▶ Occidental College, Los Angeles, Calif.
- ▶ Pitzer College, Claremont, Calif.
- ▶ Princeton University, Princeton, N.J.
- ▶ Rutgers University, New Brunswick, N.J. (benefits stalled by administration, now in litigation)
- ▶ Smith College, Northampton, Mass. (same-sex partners only)
- ▶ Stanford University, Palo Alto, Calif.
- ▶ SUNY Stony Brook, Stony Brook, N.Y.
- ▶ Swathmore College, Swathmore, Pa.
- ▶ Teachers College, Columbia University, New York, N.Y.
- ▶ Tufts University, Boston, Mass. (same-sex faculty, staff, students only. If legal marriage becomes available, partners must marry to retain benefits.)
- ▶ Union Theological Seminary, New York, N.Y.
- ▶ University of British Columbia, Vancouver, B.C., Canada
- ▶ University of California, Los Angeles, Calif.
- ▶ University of Chicago, Chicago, Ill. (same-sex partners only)
- ▶ University of Colorado, Boulder, Colo.
- ▶ University of Iowa, Iowa City, Iowa
- ▶ University of Michigan, Ann Arbor, Mich.
- ▶ University of Minnesota, Minneapolis, Minn.
- ▶ University of New Mexico, Albuquerque, N.M.
- ▶ University of Oregon, Eugene, Oreg. (student housing)
- ▶ University of Pennsylvania, Philadelphia, Pa. (same-sex partners only)
- ▶ University of Pittsburgh, Pittsburgh, Pa. (tuition remission, facility access only for same-sex partners; no insurance)
- ▶ University of Tampa, Tampa, Fla.
- ▶ University of Vermont, Burlington, Vt.
- ▶ University of Washington, Seattle, Wash. (bereavement; other benefits are pending)
- ▶ University of Wisconsin, Madison, Wis.
- ▶ Washington State University, Pullman, Wash.
- ▶ Yale University, New Haven, Conn. (health coverage for same-sex students, faculty, admin. and staff)

### Governments

As with private employers, most of these governmental plans define *domestic partners* to include same-sex couples as well as unmarried heterosexual partners. Partners qualify for benefits under conditions that vary widely.

- ▶ Alameda County, Calif.\*
- ▶ Ann Arbor, Mich.
- ▶ Atlanta, Ga. (court declared unconstitutional, under appeal)
- ▶ Austin, Texas (citizens voted city charter benefits law restricted to heterosexuals only)
- ▶ Baltimore, Md. (same-sex partners only, health plan coverage starts Jan. 1995)
- ▶ Berkeley, Calif.
- ▶ Berkeley Unified School District, Calif.
- ▶ Boston, Mass. (unpaid health insurance coverage)
- ▶ Burlington, Vt.
- ▶ Cambridge, Mass.
- ▶ Canada (federal employees)
- ▶ Chicago, Ill. (paid bereavement leave only)
- ▶ Dane County, Wis.\*
- ▶ Dane Regional Planning Commission\*
- ▶ Delaware, N.J.\*
- ▶ Denmark (similar benefits as marriage for same-sex citizens who are "registered partners")
- ▶ East Lansing, Mich. (nonunion employees only)
- ▶ France (medical benefits for nonworking partner if citizens are French, three-year residents who have lived together at least one year)
- ▶ Greenland (similar benefits as marriage for same-sex citizens who are "registered partners")
- ▶ Hartford, Conn.
- ▶ Hennepin County, Minn.\*
- ▶ Ithaca, N.Y.\*
- ▶ King County, Wash.
- ▶ Laguna Beach, Calif.
- ▶ Los Angeles, Calif.
- ▶ Madison, Wis.\*
- ▶ Massachusetts\* (management level only)
- ▶ Metro Toronto Council, Canada
- ▶ Minneapolis, Minn. (court declared invalid, to be appealed) (was to give cash payments until insurance could be arranged; excludes unmarried heterosexuals)
- ▶ Minneapolis Public Library, Minn.
- ▶ Minneapolis School District, Minn.
- ▶ Multnomah County, Oreg. (medical coverage for nonunion)



### Appendix

- ▶ Municipality of Metropolitan Seattle (Metro), Seattle, Wash.
- ▶ New South Wales, Australia (all citizens: same-sex couples spousal rights to each other's property)
- ▶ New York
- ▶ New York, N.Y.
- ▶ Norway (similar benefits as marriage for same-sex citizens who are "registered partners")
- ▶ Oakland, Calif.
- ▶ Oak Park, Ill.
- ▶ Ontario, Canada
- ▶ Ottawa, Ont., Canada
- ▶ Portland, Oreg.
- ▶ Rochester, N.Y.
- ▶ Sacramento, Calif.
- ▶ San Diego, Calif.
- ▶ San Francisco, Calif.
- ▶ San Jose School District, Calif. (certain unionized employees)\*
- ▶ San Mateo County, Calif.
- ▶ Santa Cruz, Calif.
- ▶ Santa Cruz County, Calif.
- ▶ Santa Cruz Metropolitan Transit System, Calif.
- ▶ Seattle, Wash.
- ▶ Sherwood Hills Village, Wis.\*
- ▶ Sweden (similar benefits as marriage for same-sex citizens who are "registered partners")
- ▶ Takoma Park, Md.
- ▶ Toronto, Ont., Canada
- ▶ Travis County, Texas\*
- ▶ United States Civil Service\*
- ▶ United States Department of Housing (HUD)\*
- ▶ Vancouver, B.C., Canada
- ▶ Vermont (all state workers)
- ▶ Wayne County, Mich.
- ▶ West Hollywood, Calif.
- ▶ West Palm Beach, Fla.\*
- ▶ Yukon Territory, Canada

### Unions

The unions listed have negotiated benefits for same-sex partners, although some may provide benefits only in selected localities.

- ▶ AFSCME, Local 146, Sacramento, Calif.\*
- ▶ Amalgamated Workers Union, Local 88 (RWDSU)\*
- ▶ American Federation of Government Employees, Local 476/HUD\*
- ▶ Canadian Union of Public Employees Local 932, Ontario, Canada
- ▶ Columbia University clerical workers, New York, N.Y.\*
- ▶ Committee of Interns and Residents Staff Union, New York, N.Y.
- ▶ Council 82 (prison guards—N.Y. State benefits)
- ▶ DC Nurses' Association\*
- ▶ International Brotherhood of Electrical Workers, Local 18, Los Angeles, Calif.
- ▶ Legal Aid Society, New York, N.Y.
- ▶ Legal Services Corporation, Des Moines, Iowa\*
- ▶ Mt. Sinai Hospital, New York, N.Y.\* (nurses)
- ▶ Museum of Modern Art, New York, N.Y.\*
- ▶ National Treasury Employees Union\*
- ▶ New York/New Jersey (NYNEX), telephone company workers, New York, N.Y.
- ▶ Oil Chemical and Atomic Workers (several locals in N.Y. and elsewhere)
- ▶ Pacific Gas & Electric, San Francisco, Calif.\*
- ▶ Public Employees Federation (N.Y. State, SEIU/AFT)
- ▶ Retail Store Employees Union Local 410R-8FCS, San Francisco, Calif.\*
- ▶ Seattle Public Library, Wash.\*
- ▶ United University Professors (professors, doctors and some nurses in teaching hospitals—N.Y. State)
- ▶ Village Voice newspaper, New York, N.Y.

*This list of employers and other organizations offering domestic partner benefits, current as of October 1994, was compiled by the Partners Task Force for Gay and Lesbian Couples, Box 9685, Seattle, WA 98109-0685; (206) 935-1206.*

## FIFTY-SIXTH DAY

**Tuesday, April 22, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 3:14 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Senator Brian Taniguchi, Hawaii State Senate, after which the Roll was called showing all Senators present.

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

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 325 and 326) were read by the Clerk and were placed on file:

Gov. Msg. No. 325, dated April 8, 1997, transmitting a report, "Statistics of Hawaiian Agriculture 1995," prepared by the Hawaii Agricultural Statistics Service.

Gov. Msg. No. 326, informing the Senate that on April 21, 1997, he signed the following bills into law:

House Bill No. 519 as Act 30, entitled: "RELATING TO CHILDREN AND YOUTH"; and

Senate Bill No. 57 as Act 31, entitled: "RELATING TO GOLD AND SILVER STAMPING."

**DEPARTMENTAL COMMUNICATION**

Dept. Com. No. 21, from the Department of Labor and Industrial Relations, Office of Community Services, dated April 16, 1997, transmitting the "1997 Annual Program Report," was read by the Clerk and was placed on file.

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 824 to 842) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 824, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments made by the Senate to the following House bills:

H.B. No. 293, H.D. 1 (S.D. 1);  
H.B. No. 623 (S.D. 1);  
H.B. No. 1385 (S.D. 1); and  
H.B. No. 1395 (S.D. 1),

was placed on file.

Hse. Com. No. 825, returning S.C.R. No. 90, S.D. 2, which was adopted by the House of Representatives on April 18, 1997, was placed on file.

Hse. Com. No. 826, returning S.C.R. No. 275 which was adopted by the House of Representatives on April, 18, 1997, was placed on file.

Hse. Com. No. 827, returning S.C.R. No. 163 which was adopted by the House of Representatives on April 21, 1997, was placed on file.

Hse. Com. No. 828, returning S.C.R. No. 184 which was adopted by the House of Representatives on April 21, 1997, was placed on file.

Hse. Com. No. 829, returning S.C.R. No. 194 which was adopted by the House of Representatives on April 21, 1997, was placed on file.

Hse. Com. No. 830, returning S.C.R. No. 242 which was adopted by the House of Representatives on April 18, 1997, was placed on file.

Hse. Com. No. 831, returning S.C.R. No. 10 which was adopted by the House of Representatives on April 18, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 10, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PUA KA'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL, EDUCATIONAL AND CULTURAL OCEAN ACTIVITIES," was deferred until Friday, April 25, 1997.

Hse. Com. No. 832, returning S.C.R. No. 164 which was adopted by the House of Representatives on April 18, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 164, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was deferred until Friday, April 25, 1997.

Hse. Com. No. 833, returning S.C.R. No. 11 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 11, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON NATIVE HAWAIIAN CULTURAL FOOD RESOURCES," was deferred until Friday, April 25, 1997.

Hse. Com. No. 834, returning S.C.R. No. 26 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 26, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was deferred until Friday, April 25, 1997.

Hse. Com. No. 835, returning S.C.R. No. 116 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 116, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AN IMPLEMENTATION PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was deferred until Friday, April 25, 1997.

Hse. Com. No. 836, returning S.C.R. No. 124 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 124, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A POLICY AND PROGRAM TO PREVENT SCHOOL VIOLENCE AGAINST TEACHERS

AND STUDENTS," was deferred until Wednesday, April 23, 1997.

Hse. Com. No. 837, returning S.C.R. No. 171, S.D. 1, which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 171, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," was deferred until Wednesday, April 23, 1997.

Hse. Com. No. 838, returning S.C.R. No. 182, S.D. 1, which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 182, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ADOPT A POLICY RELATING TO AN EDUCATIONAL BILL OF RIGHTS FOR HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND CHILDREN," was deferred until Wednesday, April 23, 1997.

Hse. Com. No. 839, returning S.C.R. No. 198 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 198, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was deferred until Friday, April 25, 1997.

Hse. Com. No. 840, returning S.C.R. No. 203, S.D. 1, which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 203, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," was deferred until Friday, April 25, 1997.

Hse. Com. No. 841, returning S.C.R. No. 256 which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 256, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," was deferred until Friday, April 25, 1997.

Hse. Com. No. 842, returning S.C.R. No. 270, S.D. 1, which was adopted by the House of Representatives on April 21, 1997, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 270, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DECENTRALIZATION EFFORTS OF THE DEPARTMENT OF EDUCATION," was deferred until Wednesday, April 23, 1997.

#### STANDING COMMITTEE REPORTS

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1770) recommending that H.C.R. No. 49 be adopted.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY AND REPORT ON THE NEED TO REGULATE THE PRACTICE OF OCCUPATIONAL THERAPY," was adopted.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1771) recommending that H.C.R. No. 165 be adopted.

On motion by Senator Baker, seconded by Senator D. Ige and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY WHETHER ALL REAL ESTATE APPRAISERS SHOULD BE LICENSED OR CERTIFIED, AND WHETHER ALL APPRAISALS SHOULD BE CONDUCTED IN CONFORMANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1772) recommending that the Senate consent to the nomination of R. MARK BROWNING to the office of Judge, District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1772 and Jud. Com. No. 3 was deferred until Wednesday, April 23, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1773) recommending that the Senate consent to the nomination of RHONDA A. NISHIMURA to the office of Judge, District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Jud. Com. No. 4.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1773 and Jud. Com. No. 4 was deferred until Wednesday, April 23, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1774) recommending that the Senate advise and consent to the nominations of the following:

ELAINE COHN and GLENN IOANE TEVES to the Community-Based Economic Development Advisory Council, in accordance with Gov. Msg. No. 210;

RONALD P. WEIDENBACH and LANCE PANG to the Hawai'i Aquaculture Advisory Council, in accordance with Gov. Msg. No. 212;

EDWARD T. "SKIPPA" DIAZ, JAY K. NAKASONE and CAROLE KAI to the Stadium Authority, in accordance with Gov. Msg. No. 224; and

AKIRA SAKIMA and SUSAN MATSUSHIMA to the Board of Agriculture, in accordance with Gov. Msg. No. 238.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1774 and Gov. Msg. Nos. 210, 212, 224 and 238 were deferred until Wednesday, April 23, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1775) recommending that the Senate advise and consent to the nominations of the following:

RUSSELL T. YAMANE and C. BARRY RALEIGH, Ph.D., to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 215;

RICHARD L. HUMPHREYS to the Convention Center Authority, in accordance with Gov. Msg. No. 258; and

CLYDE M. FUJIKAWA, PAUL JOSEPH CONRY and AINSLEY A. AHLO to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1775 and Gov. Msg. Nos. 215, 258 and 272 were deferred until Wednesday, April 23, 1997.

At 3:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:21 o'clock p.m.

### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1720 (Gov. Msg. Nos. 153 and 269):

Senator Iwase moved that Stand. Com. Rep. No. 1720 be received and placed on file, seconded by Senator Solomon and carried.

Senator Iwase then moved that the Senate advise and consent to the nominations of the following:

RONALD A. DARBY to the Kaneohe Bay Regional Council, term to expire June 30, 2000 (Gov. Msg. No. 153);

GRETCHEN M. GOULD and KIM NICHOLAS HOLLAND, Ph.D., to the Kaneohe Bay Regional Council, terms to expire June 30, 2001 (Gov. Msg. No. 269),

seconded by Senator Solomon.

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

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

Stand. Com. Rep. No. 1721 (Gov. Msg. No. 203):

Senator Bunda moved that Stand. Com. Rep. No. 1721 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Bunda then moved that the Senate advise and consent to the nominations of MARVIN B. AWAYA and EARL S. WAKAMURA to the Rental Housing Trust Fund Commission, terms to expire June 30, 2001, seconded by Senator M. Ige.

Senator Bunda requested that the following remarks be inserted into the Journal in support of the nominees. The Chair having so ordered, the remarks read as follows:

"Mr. President, I rise to speak in favor of Marvin Awaya and Earl Wakamura to the Rental Housing Trust Fund Commission.

"Your committee diligently questioned the nominees concerning their qualifications. Your committee was satisfied as to the nominees' commitment and credentials based upon their personal statements submitted, their testimony, and the responses given to the committee's inquiries and therefore recommends their nominations."

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

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

Stand. Com. Rep. No. 1722 (Gov. Msg. No. 243):

Senator Bunda moved that Stand. Com. Rep. No. 1722 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Bunda then moved that the Senate advise and consent to the nomination of ALLAN LOS BANOS, JR., to the Hawai'i Housing Authority, term to expire June 30, 2001, seconded by Senator M. Ige.

Senator Bunda requested that his remarks in support of the nominee be inserted into the Journal. The Chair having so ordered, the remarks read as follows:

"Mr. President, I rise to speak in favor of Allan Los Banos, Jr. to the Hawaii Housing Authority.

"Your committee diligently questioned the nominee concerning his qualifications. Your committee was satisfied as to the nominee's commitment and credentials based upon his personal statements submitted, the testimony, and the responses given to the committee's inquiries and therefore recommends his nomination."

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

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

Stand. Com. Rep. No. 1723 (Gov. Msg. No. 273):

Senator Bunda moved that Stand. Com. Rep. No. 1723 be received and placed on file, seconded by Senator M. Ige and carried.

Senator Bunda then moved that the Senate advise and consent to the nomination of CLAIRE H. MOTODA to the Procurement Policy Office Board, term to expire June 30, 2001, seconded by Senator M. Ige.

Senator Bunda requested that the following remarks be inserted into the Journal in support of the nominee. The Chair having so ordered, the remarks read:

"Mr. President, I rise to speak in favor of Claire Motoda to the Procurement Policy Office Board.

"Your committee diligently questioned the nominee concerning her qualifications. Your committee was satisfied as to the nominee's commitment and credentials based upon her personal statements submitted, the testimony, and the responses given to the committee's inquiries and therefore recommends her nomination."

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

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

Stand. Com. Rep. No. 1724 (Gov. Msg. No. 239):

Senator Aki moved that Stand. Com. Rep. No. 1724 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the State Foundation on Culture and the Arts of the following:

BRIAN T. TAMAMOTO, term to expire June 30, 1998; and

MOMI W. CAZIMERO and ALFRED LAURETA, terms to expire June 30, 2001,

seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1725 (Gov. Msg. No. 247):

Senator Aki moved that Stand. Com. Rep. No. 1725 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of SHARON GOODHART, SUSAN A. KOBAYASHI and NANCY G. BARRY to the Oahu Library Advisory Commission, terms to expire June 30, 2001, seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1726 (Gov. Msg. No. 248):

Senator Aki moved that Stand. Com. Rep. No. 1726 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of MERCEDES B. LEIALOHA to the Hawai'i Library Advisory Commission, term to expire June 30, 2001, seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1727 (Gov. Msg. No. 249):

Senator Aki moved that Stand. Com. Rep. No. 1727 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of MARY JO SWEENEY to the Kauai Library Advisory Commission, term to expire June 30, 1998, seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1728 (Gov. Msg. No. 250):

Senator Aki moved that Stand. Com. Rep. No. 1728 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of NORA A. KAWASAKI to the Maui County Library Advisory Commission, term to expire June 30, 2001, seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1729 (Gov. Msg. No. 275):

Senator Aki moved that Stand. Com. Rep. No. 1729 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of WALTER NUNOKAWA, Ph.D., and HERBERT A. SEGAWA to the Board of Directors, Research Corporation of the University of Hawaii, terms to expire June 30, 2001, seconded by Senator Tam.

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

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

Stand. Com. Rep. No. 1736 (Jud. Com. No. 5):

Senator Chumbley moved that Stand. Com. Rep. No. 1736 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of SANDRA P. SCHUTTE for Judge of the District Court of the Third Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nominee as follows:

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

"Mr. President, your committee finds that Sandra P. Schutte holds a Bachelors degree from the University of California, Berkeley, and a J.D. from Golden Gate University, School of Law. Ms. Schutte has been a practicing attorney with the Legal Aid Society, the Prosecuting Attorney's Office of the county of Hawaii, and a partner with a Hilo law firm before becoming a solo practitioner. As well as her past service with many community and professional associations, Ms. Schutte currently serves on the Board of Directors for the Hawaii Island Chamber of Commerce and the Hawaii County Economic Opportunity Council, and is a member of the East Hawaii Community Children's Council.

"Testimony in support of the nominee indicates that Ms. Schutte is a thorough, intelligent and a hard-working attorney who displays keen legal judgement and good temperament. Testifiers also acknowledged her fairness, honesty, and perseverance to render impartial decisions as well as her untiring compassion for all people and her active service to her community.

"Mr. President and colleagues, I urge all of you to support this nomination. Thank you."

Senator Metcalf then rose and said:

"Mr. President, I would request that Senator Chumbley's remarks be included in the Journal as my own. Thank you."

The Chair so ordered.

Senator Solomon then rose in support of the nominee and said:

"Mr. President, I am speaking in support of the previous speaker's remarks and also in support of the nomination.

"I personally know Sandra Schutte and she is indeed a very competent person. I'm urging all of my colleagues to please vote in the affirmative. Thank you."

Senator Anderson also rose in support and stated:

"Mr. President, because I also know the nominee, would you please have Senator Solomon's remarks put into the Journal as though they were my own. Thank you."

The Chair so ordered.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1737 (Jud. Com. No. 6):

Senator Chumbley moved that Stand. Com. Rep. No. 1737 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of RHONDA I. LAI LOO for Judge of the District Court of the Second Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Chumbley rose in support of the nomination and said:

"Mr. President, your committee finds that Rhonda Iwalani Lai Loo holds a B.B.A. in Marketing and Management from the University of Oregon and a J.D. from the William S. Richardson School of Law. Ms. Loo has served with the Office of the Prosecuting Attorney, County of Maui for the past nine years. Ms. Loo serves her community with dedication by participating in school career days, the Drugs and Kids Program, and numerous professional associations and activities.

"Testimony in support of the nominee indicates that Ms. Loo has demonstrated a high degree of honesty, integrity, and impartiality with those within her profession and in the community. Testifiers acknowledged that Ms. Loo exhibits good judicial temperament, excellent legal and administrative skills, and a commitment to the community of Maui. Further, testifiers stated that all those who work with her are treated with compassion, enthusiasm, and fairness.

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

Senator Baker also rose to support the nomination as follows:

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

"I am pleased to note that the Chief Justice chose to expand the number of women on the bench, both with the new judge we just confirmed and now with one for the Second Circuit, the Maui circuit. This will be Maui's first full-time woman judge and I think Ms. Loo will bring an important perspective to the bench. Not only is our nominee well qualified to serve, but she is well-respected in the community and I am pleased to offer my support for her confirmation. Thank you."

Senator Anderson rose in support of the nominee and said:

"Mr. President, I was really impressed with the nominee and I would like to have the Judiciary chairman's remarks put into the Journal as though they were my own. Thank you."

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

Ayes, 25. Noes, none.

At this time, Senator Chumbley introduced Judge Schutte and Judge Loo who were seated in the gallery. (Both women rose to be recognized.)

## FINAL READING

S.B. No. 818, S.D. 1, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 818, S.D. 1, and S.B. No. 818, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARK COUNTERFEITING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 952, S.D. 1, and S.B. No. 952, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 969, H.D. 2:

On motion by Senator Aki, seconded by Senator Tam and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 969 and S.B. No. 969, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1560, S.D. 1, H.D. 2:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1560, S.D. 1, and S.B. No. 1560, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PRESCRIPTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1714, H.D. 1:

On motion by Senator Baker, seconded by Senator D. Ige and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1714 and S.B. No. 1714, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

## MATTER DEFERRED FROM TUESDAY, APRIL 15, 1997

### THIRD READING

H.B. No. 392, H.D. 2:

Senator Chumbley moved that H.B. No. 392, H.D. 2, be recommitted to the Committee on Judiciary, seconded by Senator Matsunaga.

At this time, Senator Chumbley remarked on the action taken on H.B. No. 392, H.D. 2, as follows:

"Mr. President, as a follow-up we did contact the Office of Community Services and are in receipt of a letter I'd like to read into the Journal for the record. This is in follow-up to your earlier telephone inquiry regarding H.B. 392, H.D. 2, Relating to Surcharges for Indigent Legal Services.

'As you are aware, Act 305, 1996, established the Indigent Legal Assistance Fund that the Office of Community Services administers. We are currently completing a request for proposal process to determine the percentage of funds to be awarded to qualified applicants. We have determined that the Hawaii Lawyers' Care is a qualified applicant in accordance with Act 305, 1996.'

"Therefore, Mr. President, this measure is no longer needed. Thank you."

The motion was then put by the Chair and carried, H.B. No. 392, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGES FOR INDIGENT LEGAL SERVICES," was recommitted to the Committee on Judiciary.

#### RECONSIDERATION OF ACTIONS TAKEN

H.C.R. No. 205:

Senator Iwase, for the Committee on Water, Land, and Hawaiian Affairs, requested that the referral of H.C.R. No. 205 to the Committee on Water, Land, and Hawaiian Affairs be waived, and the Chair granted the waiver.

Senator Levin moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1763, seconded by Senator Metcalf and carried.

Senator Levin then moved that Stand. Com. Rep. No. 1763 be received and placed on file, seconded by Senator Metcalf and carried.

On motion by Senator Levin, seconded by Senator Metcalf and carried, H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO URGE NATIVE HAWAIIANS TO PARTICIPATE IN AN EARLY CANCER DETECTION PROGRAM," was adopted.

S.R. No. 119, S.D. 1:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral of S.R. No. 119, S.D. 1, to the Committee on Ways and Means be waived, and the Chair granted the waiver.

Senator Chumbley moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1335, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that Stand. Com. Rep. No. 1335 be received and placed on file, seconded by Senator Matsunaga and carried.

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, S.R. No. 119, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW AND ASSESS ITS POLICY ON THE ISSUANCE OF BADGES AND IDENTIFICATION CARDS TO PERSONS HAVING COMPLETED A TRAINING PROGRAM ON SERVICE OF PROCESS WITH THE SHERIFF'S OFFICE," was adopted.

S.B. No. 1428, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 1, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1428, S.D. 1, seconded by Senator Tanaka and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1428, S.D. 1, seconded by Senator Tanaka.

Senator Taniguchi then noted:

"Mr. President, S.B. No. 1428 excludes from the definition of commercial vessel, a vessel engaged in temporary use for film production purposes in accordance with the film permit issued by the Department of Business, Economic Development, and Tourism. The measure specifies that the period of use is not to exceed 14 hours, per day, 5 days a week excluding weekends, and for a period not to exceed a month. The House version provides that DBEDT may make allowances for weekend filming due to inclement weather conditions during weekdays."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1428, S.D. 1, and S.B. No. 1428, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILM PERMITTING," was placed on the calendar for Final Reading on Wednesday, April 23, 1997.

S.B. No. 1599, S.D. 1 (H.D. 1):

Senator Taniguchi moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1599, S.D. 1, seconded by Senator Tanaka and carried.

Senator Taniguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 1599, S.D. 1, seconded by Senator Tanaka.

Senator Taniguchi explained:

"Senate Bill 1599 authorizes the Department of Land and Natural Resources to license commercial marine dealers. The House version allows DLNR to require a license from persons who export any marine life taken in the state for commercial purposes; authorizes the department to require any terms or conditions for the licenses through rules; and requires that commercial marine dealers who buy aquarium fish give a receipt to the seller that includes information specifying the number and species of the fish bought.

"Your Senate Committee on Economic Department made similar changes to the House companion bill and therefore agrees to these amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1599, S.D. 1, and S.B. No. 1599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," was placed on the calendar for Final Reading on Wednesday, April 23, 1997

S.B. No. 305, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 1, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 305, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 305, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley explained:

"Mr. President, for the most part these were technical, nonsubstantive changes, and after further review it just clarifies the measure. Your Judiciary Committee agrees to those amendments made by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 305, S.D. 1, and S.B. No. 305, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," was placed on the calendar for Final Reading on Wednesday, April 23, 1997.

S.B. No. 823, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 1, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 823, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 823, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, again, these were technical, nonsubstantive changes that clarify the measure. Your Judiciary Committee agrees to those amendments made by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 823, S.D. 1, and S.B. No. 823, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," was placed on the calendar for Final Reading on Wednesday, April 23, 1997.

S.B. No. 1279, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 1, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1279, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 1279, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley explained:

"Mr. President, these were technical, nonsubstantive changes and your Judiciary Committee agrees to those amendments made by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1279, S.D. 1, and S.B. No. 1279, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was placed on the calendar for Final Reading on Wednesday, April 23, 1997.

S.B. No. 1286 (H.D. 1):

Senator Chumbley moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1286, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 1286, seconded by Senator Matsunaga.

Senator Chumbley explained:

"Mr. President, these were technical, nonsubstantive changes that clarify the measure. Your Judiciary Committee agrees to those amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1286 and S.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," was placed on the calendar for Final Reading on Wednesday, April 23, 1997.

Senator Taniguchi, for the Committee on Economic Development, requested a waiver of the 72-hour Notice of a Public Hearing, pursuant to Senate Rule 20, on Gov. Msg. Nos. 289, 297 and 298, and the Chair granted the waiver.

#### ADJOURNMENT

At 3:36 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 23, 1997.



## FIFTY-SEVENTH DAY

Wednesday, April 23, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:47 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mark Egesdal and Rachel Gibbs, Punahou School, after which the Roll was called showing all Senators present with the exception of Senator Fernandes Salling who was excused.

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 843 to 846) were read by the Clerk and were placed on file:

Hse. Com. No. 843, informing the Senate that the amendments proposed by the Senate to H.B. No. 293, H.D. 1, were agreed to by the House, and H.B. No. 293, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1997.

Hse. Com. No. 844, informing the Senate that the amendments proposed by the Senate to H.B. No. 623 were agreed to by the House, and H.B. No. 623, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1997.

Hse. Com. No. 845, informing the Senate that the amendments proposed by the Senate to H.B. No. 1385 were agreed to by the House, and H.B. No. 1385, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1997.

Hse. Com. No. 846, informing the Senate that the amendments proposed by the Senate to H.B. No. 1395 were agreed to by the House, and H.B. No. 1395, S.D. 1, passed Final Reading in the House of Representatives on April 22, 1997.

## CONFERENCE COMMITTEE REPORTS

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 135, S.D. 1, presented a report (Conf. Com. Rep. No. 51) recommending that S.B. No. 135, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51 and S.B. No. 135, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 512, S.D. 2, presented a report (Conf. Com. Rep. No. 52) recommending that S.B. No. 512, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52 and S.B. No. 512, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," was deferred for a period of 48 hours.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1772 (Jud. Com. No. 3):

Senator Chumbley moved that Stand. Com. Rep. No. 1772 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of R. MARK BROWNING for Judge of the District Family Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the nominee and said:

"Mr. President, I have some remarks I'd like inserted into the Journal in support of the nominee."

The Chair having so ordered, Senator Matsunaga's remarks follow:

"Your committee finds that R. Mark Browning holds a bachelors degree from the University of the South and a J.D. from Northwestern School at Lewis and Clark College. Currently, Mr. Browning is a per diem Family Court Judge and a partner in a Honolulu law firm. His professional activities include serving as an arbitrator for the Hawaii Court Annexed Arbitration Program and working as an active member of the Hawaii State Bar Association Standing Committee on Judicial Administration.

"Testimony submitted to your committee indicated that Mr. Browning has a demonstrated knowledge of rules and procedures, and has practical experience in both criminal and civil law. Testifiers acknowledged that his strengths include honest, compassion, an ability to appreciate different points of view and excellent judicial temperament."

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

Stand. Com. Rep. No. 1773 (Jud. Com. No. 4):

Senator Chumbley moved that Stand. Com. Rep. No. 1773 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of RHONDA A. NISHIMURA for Judge of the District Court of the First Circuit, for a term of six years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Matsunaga.

Senator Matsunaga rose in support of the nomination as follows:

"Mr. President, I also have some remarks in support of this nominee I'd like inserted into the Journal."

The Chair so ordered and Senator Matsunaga's remarks are as follows:

"Your committee finds that Rhonda A. Nishimura holds a B.A. and M.A. from the University of Hawaii and a J.D. from the William S. Richardson School of Law. Currently, Ms. Nishimura is a partner in a Honolulu law firm.

"Testimony in support of the nominee indicated that the nominee has unquestionable fairness, honesty and integrity. Testifiers acknowledged that the nominee is bright, hard-

working, and possesses an innate sense of judiciousness and judicial temperament that will make her an asset to the Judiciary. Further, the nominee was commended for her active and dedicated service to her community, the Arbitration Mentor Project, the Attorney Mentor Project, the Hawaii Justice Foundation, and the Hawaii Bar Association."

Senator Taniguchi spoke in support as follows:

"Mr. President, I wish to speak in favor of this nominee.

"Ms. Nishimura is a classmate of mine. I believe she's very qualified and ask my colleagues to support her nomination.

"Thank you."

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

Stand. Com. Rep. No. 1774 (Gov. Msg. Nos. 210, 212, 224 and 238):

Senator Tanaka moved that Stand. Com. Rep. No. 1774 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Tanaka then moved that the Senate advise and consent to the nominations of the following:

ELAINE COHN and GLENN IOANE TEVES to the Community-Based Economic Development Advisory Council, terms to expire June 30, 2001 (Gov. Msg. No. 210);

RONALD P. WEIDENBACH and LANCE PANG to the Hawai'i Aquaculture Advisory Council, terms to expire June 30, 2001 (Gov. Msg. No. 212);

EDWARD T. "SKIPPA" DIAZ, JAY K. NAKASONE and CAROLE KAI to the Stadium Authority, terms to expire June 30, 2001 (Gov. Msg. No. 224);

AKIRA SAKIMA to the Board of Agriculture, term to expire June 30, 1998 (Gov. Msg. No. 238); and

SUSAN MATSUSHIMA to the Board of Agriculture, term to expire June 30, 2001 (Gov. Msg. No. 238),

seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

Stand. Com. Rep. No. 1775 (Gov. Msg. Nos. 215, 258 and 272):

Senator Tanaka moved that Stand. Com. Rep. No. 1775 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Tanaka then moved that the Senate advise and consent to the nominations of the following:

RUSSELL T. YAMANE and C. BARRY RALEIGH, Ph.D., to the Board of Directors, High Technology Development Corporation, terms to expire June 30, 2001 (Gov. Msg. No. 215);

RICHARD L. HUMPHREYS to the Convention Center Authority, term to expire June 30, 1998 (Gov. Msg. No. 258); and

CLYDE M. FUJIKAWA, PAUL JOSEPH CONRY and AINSLEY A. AHLO to the Advisory Committee on Pesticides, terms to expire June 30, 2001 (Gov. Msg. No. 272),

seconded by Senator Taniguchi.

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

At this time, Senator Matsunaga introduced Judge Browning and Judge Nishimura who were seated in the gallery with family and friends. (Mr. Browning and Ms. Nishimura rose to be recognized.)

#### FINAL READING

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

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

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

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

S.B. No. 1279, S.D. 1, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1279, S.D. 1, and S.B. No. 1279, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

S.B. No. 1286, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1286 and S.B. No. 1286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL TOBACCO SALES TO MINORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

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

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

Ayes, 24. Noes, none. Excused, 1 (Fernandes Salling).

S.B. No. 1599, S.D. 1, H.D. 1:

Senator Taniguchi moved that S.B. No. 1599, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tanaka.

Senator Anderson rose to speak on the measure and said:

"Mr. President, I have some reservations on this particular measure, primarily because we've had so many problems with DLNR and here again we're allowing them to go ahead and exempt certain commercial marine dealers from having to report monthly; increased time commercial marine dealers are required to keep receipts; allow DLNR to require license from persons to export any marine life taken in the state for commercial purposes. And it then authorizes DLNR any terms or conditions of licenses through rules and adoptions of such.

"And these are the problems that we've had in the past with DLNR. It's a continuing problem that's going to, I think, not go away. They've caused a lot of businesses a lot of heartaches. A lot of business people are going to have to go out of business because their permits have escalated in cost because they didn't like the way we wrote our bills. And for these reasons I have a lot of concerns in giving them all of these authorized exemptions that they have full regulations over.

"Thank you very much, Mr. President."

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1599, S.D. 1, and S.B. No. 1599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COMMERCIAL MARINE DEALER LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Fernandes Salling).

Senator Bunda rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, on the 16th of April I had written you a memo regarding the assignment of conferees on the privatization issue. I asked that the Committee on Government Operations and Housing would have lead standing on the conference, citing Senate Rule 13(4). Today, Mr. President, I received that response and it was denying the request. Although it was written after the conferees were named, at least I got the response, and for that I thank you, Mr. President.

"However, Mr. President, the last statement of your response sort of troubles me because I believe it is pure conjecture on your part. Your statement reads and I quote: 'As an aside, your vote with reservations on the Senate position on the privatization issue does not by itself preclude your serving as a conference committee co-chair. However, when coupled with your public support of the House's position, your ability to defend the Senate's position on this important issue is doubtful.'

"Mr. President, I believe you are referring to a Star-Bulletin article on April 21 which stated 'The Senate Government Operations and Housing Chair Robert Bunda appeared pleased by the House's ploy because the House mirrors his position.' Mr. President, this was the reporter's impression, not my statement. What I expressed then was my concern over leadership's failure to name conferees for the negotiations.

"Mr. President, if you would have only sat down with me and discussed this matter, you would have found that my position is very clear. We really need to solve this matter this

session. Whether the solution be a moratorium with parameters or to go back to pre-Konno status, these are Senate positions, and I could support these positions. But to write with conjecture on your part, Mr. President, without collaboration, which is your theme, causes this organization to operate on a personal level rather than basing our decisions on what is best for the public.

"Thank you, Mr. President."

Senator Sakamoto also rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege. It is related to the previous speaker and this morning's paper which states, 'Maui may cancel contracts.' There was also a statement that leaders of two unions charge that Lingle may be 'overreacting,' 'last-minute scare tactic,' etc.

"It sort of puzzled me in wondering who can sue or who can take action on this issue. Is it only a union leader? So I posed that question to our Attorney General's Office in asking who can take legal action. Can any public employee take legal action? In essence, the answer is any civil service employee or applicant for a civil service position who can establish that they were adversely affected or aggrieved can take some action on a privatization issue. In the past suit there was an employee who concurrently filed with the Civil Service Commission and with the court. So it isn't only one person, or a leader, who can say we can take action, but any civil servant or potential civil servant.

"But also, I'd like to read this last paragraph which, you know, we can say yeah, common sense, civil servant who's displaced, maybe not being promoted, but this paragraph 'based on the foregoing, we conclude that the union is not the only party who can maintain an action to challenge the public employee's action. Furthermore, in light of Hawaii court's somewhat expansive view of taxpayers' standing to sue, it is likely that any taxpayer could maintain a suit if they could show that the cost of government would be increased by a decision either to privatize or not to privatize the government function.'

"So Mr. President, some people think a moratorium works; some people take light of the court's decision. The court said we need to take action -- we, meaning this legislature. And I believe and many others believe it's not by a moratorium and it's not letting the existing law work because the existing law doesn't work. Clearly, if anybody can sue, even though one person or another person might say well I'll only pick on one or two people or one or two instances, being that possibly anyone can sue, we need to take action decisively and clear this up this session, Mr. President.

"Thank you."

Senator Anderson, rising on a point of personal privilege, then said:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I agree with the previous speakers, both of them, but I also stand because I was reading the editorial this morning in the Honolulu Advertiser and it states, 'State budget talks must confront reality.' It has the ring of truth to it and long past time that conferences on the budget get down to business and make long-term economic policies.

"But the media is to blame also, Mr. President. I've stood here. My colleagues have stood here. We've made comments about how the economy is failing. You don't read that too much in the newspapers unless they want to write in editorials. We read about same-sex marriages; we read about our high-three; we read about the automobile insurance; but we don't

read about all of the economy and how it's going down the tube, and how we have to be very realistic about this.

"Also, in our finance committee hearings when one of the chairmen will say that we'll have to look at the economy and be realistic about it, the cameras go off. And I've watched them say, 'Cut, don't go ahead and do that.' You have a responsibility as the media business to make sure that the public knows what's going on around here. Otherwise, we're talking to ourselves and the people in the gallery. We're really not getting out to what is really happening in our state. And I think that they have held our feet to the fire so that we can go ahead and finish the people's business, rather than play power plays.

"And the administration is wrong because they've given no guidance to us. They have come down with really no facts except to take every special fund that we have and utilize it. I was asked the other day by a Representative in the House that said, 'Why didn't you folks pass my resolution?' It asked for an audit of a special fund that should be looked at and it was the training fund that we took away. Why audit a fund that's not there? Why go ahead and have short term plans so that we can go ahead and say, 'Here's the budget'? And it's not going to go anywhere; it's not going to help our economy. We need long term planning.

"And yes, I've looked at all of the figures that we have in the budget. And it's very true, we are looking at the first year and there is money for '99, but that's where the big cuts are and that's if the economy goes up. And that's what we should do is stimulate this economy so it does go up. And DLNR is not doing their job. DCCA is not doing their job.

"Ladies and gentlemen, I think that we have to finish the power plays around here; finish the work that we have, and go home. But we most certainly don't have to rush it and I don't think we need an extension. If we're going to do anything, take one day's recess or two. But let's not play games around here. Let's finish what we're supposed to do. And the media -- do your job, instead of playing games and saying all we're worried about is certain things and the public doesn't even know what's going on.

"Thank you very much, Mr. President."

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:11 o'clock p.m.

#### APPOINTMENT OF CONFEREES

S.B. No. 871, S.D. 2 (H.D. 3):

The President appointed Senator Kawamoto as an additional co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 871, S.D. 2 (H.D. 3).

#### MATTERS DEFERRED FROM TUESDAY, APRIL 22, 1997

#### AGREE/DISAGREE AND APPOINTMENT OF CONFEREES

S.C.R. No. 124 (H.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 124 and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Tam, Aki, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.C.R. No. 171, S.D. 1 (H.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 171, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.C.R. No. 182, S.D. 1 (H.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 182, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Slom as managers on the part of the Senate at such conference.

S.C.R. No. 270, S.D. 1 (H.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 270, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Tam, Aki, Fernandes Salling, co-chairmen, Ige, M., Metcalf as managers on the part of the Senate at such conference.

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 242, S.D. 1 (H.D. 2):

Senator Matsunaga moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 242, S.D. 1, seconded by Senator Chumbley and carried.

Senator Matsunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 242, S.D. 1, seconded by Senator Chumbley.

Senator Matsunaga noted:

"Mr. President, with regard to S.B. No. 242, this bill authorizes the State Ethics Commission to initiate and receive complaints. The House amendments basically set forth the procedures with regard to pursuing the charges concerning violations, and it also requires the commission to publish yearly summaries of decisions, advisory opinions and informal advisory opinions."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 242, S.D. 1, and S.B. No. 242, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

S.B. No. 1277, S.D. 1 (H.D. 1):

Senator Matsunaga moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1277, S.D. 1, seconded by Senator Chumbley and carried.

Senator Matsunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1277, S.D. 1, seconded by Senator Chumbley.

Senator Matsunaga explained:

"With regard to S.B. No. 1277 which made the manufacture of dangerous drugs in any amount a Class A felony, the House made the ten-year mandatory minimum term of imprisonment applicable only to the new offense of manufacturing methamphetamine. The Senate version would have made the ten-year mandatory minimum also applicable to the distribution of drugs to minors. Unfortunately, the House was very stubborn, and we hope that the House will revisit that position next session.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1277, S.D. 1, and S.B. No. 1277, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DANGEROUS DRUGS," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

S.B. No. 161, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 161, S.D. 1, seconded by Senator Kanno and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 161, S.D. 1, seconded by Senator Kanno.

Senator Chun Oakland explained:

"Mr. President, S.B. No. 161, S.D. 1, H.D. 1, exempts after-school, weekend, and summer recess programs conducted by the Department of Education, child care programs conducted by the counties for children five years of age or older, and any person who enters a home in a child caring capacity from regulation as child care facilities. We agree with the language which allows the DOE to promulgate its own rules regulating after-school, weekend, and summer recess programs. Additionally, counties which conduct programs for children five years and older would be exempt from the Department of Human Services regulations and allowed to promulgate their own rules and regulations in consultation with DHS."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 161, S.D. 1, and S.B. No. 161, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

S.B. No. 1874, S.D. 2 (H.D. 2):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1874, S.D. 2, seconded by Senator Kanno and carried.

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 1874, S.D. 2, seconded by Senator Kanno.

Senator Chun Oakland then noted:

"Senate Bill No. 1874, S.D. 2, H.D. 2, requires the Department of Human Services assisted by the Department of Labor and Industrial Relations to develop and implement various welfare-to-work systems, including grant diversion programs, micro enterprise programs, and a public works and community jobs program. The amendments made basically to the Senate position were technical and nonsubstantive, reflected in H.D. 2."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No.

1874, S.D. 2, and S.B. No. 1874, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

S.B. No. 262, S.D. 1 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 11, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 262, S.D. 1, seconded by Senator Chun Oakland and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 262, S.D. 1, seconded by Senator Chun Oakland.

Senator Kanno noted:

"Mr. President, S.B. No. 262, S.D. 1, H.D. 1, corrects an inadvertent result of a bill requiring future retirees to pay a portion of their health benefits. The House passed the measure with a different effective date. They amended the Senate's version which was to have it take effect upon approval and replaced that with an effective date of June 30, 1996. We agree with the House version. It provides for continuity of the system."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 262, S.D. 1, and S.B. No. 262, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

S.B. No. 653, S.D. 2 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 653, S.D. 2, seconded by Senator Chun Oakland and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 653, S.D. 2, seconded by Senator Chun Oakland.

Senator Kanno then noted:

"Senate Bill No. 653, S.D. 2, H.D. 2, allows health care facilities to consider criminal convictions in determining whether employees are suited to working in close proximity to patients. The amendments made by the House which we agree to are technical and nonsubstantive in nature."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 653, S.D. 2, and S.B. No. 653, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was placed on the calendar for Final Reading on Thursday, April 24, 1997.

At this time, Senator Solomon extended Happy Birthday wishes to Senator Bunda on behalf of the Senate.

Senator M. Ige rose on a point of personal privilege as follows:

"Mr. President, I'm sorry for raising this issue at this late date, but I stand on a point of personal privilege, as well.

"Mr. President, Senator Bunda raised an issue regarding Senate Rule 13(4) regarding committee chairmen in terms of Standing Committees during conference. Mr. President, you know when you referred the names, when you appointed the members to the Conference Committee regarding privatization, you had the co-chairs of WAM as the lead, I guess, co-chairs, and the members of Government Operations and, I guess,

Human Resources as being only members. Is that basically a violation ... not a violation, but is that ... are you not ignoring the Rule 13(4) on that issue?"

The Chair responded:

"In my opinion, I am not, because if you look at those two bills that have the amendments relating to privatization, that bill really has financial impact. The bill deals with the convention center funding and also the Health Fund funding. So it is my opinion that the bill rightfully belongs in Ways and Means."

Senator M. Ige interjected:

"The only problem with that, Mr. President, and I wrestled with that same argument last evening, is that in your Rules you specifically state that subject matter -- the subject matter that had the subject matter -- it doesn't mention bill or anything of that nature, but basically subject matter shall have jurisdiction over that measure during conference."

The Chair stated:

"It is going on a case by case basis and I have ruled that there is fiscal impact. A majority of that bill has fiscal impact so I have given the co-chairs of WAM primary responsibility."

Senator M. Ige then said:

"I guess, Mr. President, one of the points I'd like to make is that I was hoping that you could make all of us co-chairs, as in the memo that Senator Bunda gave to you, only because just this morning alone Mayor Lingle said that she'll be cancelling, basically, contracts for 200 people and the fact that Chairman Say is asking for an extension.

"You know, we were here on Saturday. I left here at 2:30 in the morning. Last evening I left at midnight. And I just hope that we have the time to collaborate and the chairs would give sufficient time to address this issue because it affects the entire state. And at this point, you know, I'm glad that Chair Fukunaga asked for a waiver of the notice requirement but there's really no time set. And it's my understanding that these fiscal bills need to be decked by midnight Friday. And you know, the Government Operations and Housing Committee had extensive hearings. We had informational briefings and still we're far apart on finding some compromise to this issue.

"And you know, I was going to do a vigil here to force you to assign me as one of the co-chairs, but if I did, knowing you, you would turn off the light and lock the doors and I'd have no water and food, so rather than do a vigil, you know, I just want to appeal to your conscience to say ... well basically, I'm begging you to allow the co-chairs to serve as co-chairs and not just as conferees so that we can take this measure into conference. Give us the sufficient amount of time necessary to work out this very sensitive issue. And I ask that of you in good spirit and I hope you will seriously consider my request.

"Thank you."

#### ADJOURNMENT

At 12:24 o'clock p.m., on motion by Senator McCartney, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 24, 1997.

## FIFTY-EIGHTH DAY

Thursday, April 24, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Edward H. Young, Jr., Hawaii Baha'i Community, after which the Roll was called showing all Senators present with the exception of Senator Metcalf who was excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 327 to 329) were read by the Clerk and were placed on file:

Gov. Msg. No. 327, Informing the Senate that on April 22, 1997, he signed the following bills into law:

Senate Bill No. 958 as Act 32, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE";

Senate Bill No. 985 as Act 33, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE";

Senate Bill No. 1110 as Act 34, entitled: "RELATING TO INTOXICATING LIQUOR";

Senate Bill No. 1490 as Act 35, entitled: "RELATING TO PUBLIC ACCOUNTANCY";

Senate Bill No. 1501 as Act 36, entitled: "RELATING TO THE INSURANCE CODE";

Senate Bill No. 1507 as Act 37, entitled: "RELATING TO THE LICENSURE EXAMINATION REQUIREMENTS FOR PSYCHOLOGISTS";

Senate Bill No. 1508 as Act 38, entitled: "RELATING TO PRELICENSING INSPECTIONS";

Senate Bill No. 1509 as Act 39, entitled: "RELATING TO EDUCATION REQUIREMENTS FOR PROFESSIONAL AND VOCATIONAL LICENSING";

Senate Bill No. 1510 as Act 40, entitled: "RELATING TO NOTARIZED SIGNATURES ON PROFESSIONAL AND VOCATIONAL LICENSE APPLICATIONS";

Senate Bill No. 1511 as Act 41, entitled: "RELATING TO OPTOMETRY EXAMINATION REQUIREMENTS";

Senate Bill No. 1513 as Act 42, entitled: "RELATING TO MASSAGE THERAPY";

Senate Bill No. 1514 as Act 43, entitled: "RELATING TO OPTOMETRY LICENSURE";

Senate Bill No. 1517 as Act 44, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY LICENSING";

Senate Bill No. 1518 as Act 45, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS"; and

Senate Bill No. 1532 as Act 46, entitled: "RELATING TO REGULATION OF PRIVATE DETECTIVES AND GUARDS."

Gov. Msg. No. 328, dated April 11, 1997, transmitting the "Annual Report and Biennial Evaluation of the Rental Housing

Trust Fund Program," prepared by the Department of Budget and Finance, Rental Housing Trust Fund Commission, pursuant to Section 201F-5, HRS.

Gov. Msg. No. 329, dated April 11, 1997, transmitting a report, "The Economic Impacts of Shipboard Gaming and Pari-Mutuel Horse Racing in Hawaii," prepared by the Department of Business, Economic Development, and Tourism in response to S.C.R. No. 282 (1996).

## DEPARTMENTAL COMMUNICATION

Dept. Com. No. 22, from the State Auditor dated April 23, 1997, transmitting their "1996 Annual Report," was read by the Clerk and was placed on file.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 847 to 850) were read by the Clerk and were placed on file:

Hse. Com. No. 847, returning S.C.R. No. 2, S.D. 1, which was adopted by the House of Representatives on April 22, 1997.

Hse. Com. No. 848, returning S.C.R. No. 152, S.D. 1, which was adopted by the House of Representatives on April 22, 1997.

Hse. Com. No. 849, returning S.C.R. No. 165, which was adopted by the House of Representatives on April 22, 1997.

Hse. Com. No. 850, returning S.C.R. No. 257, which was adopted by the House of Representatives on April 22, 1997.

## CONFERENCE COMMITTEE REPORTS

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1745, H.D. 2, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 1745, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and H.B. No. 1745, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1610, H.D. 2, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 1610, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 1610, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 175, presented a report (Conf. Com. Rep. No. 53) recommending that S.B. No. 175, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53 and S.B. No. 175, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

## STANDING COMMITTEE REPORTS

Senators Iwase and Solomon, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1776) recommending that the Senate advise and consent to the nominations of ANNA C. KAOHELALUII, MICHAEL H. KIDO and PASCUAL DABIS to the Natural Area Reserves System Commission, in accordance with Gov. Msg. No. 312.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1776 and Gov. Msg. No. 312 was deferred until Friday, April 25, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1777) recommending that the Senate advise and consent to the nominations of LINDA COCHRAN, ROBERT K. WEAD, GABRIELLE B. BATZER, M.D., LAURA FLANNELLY, Ph.D., PAT MILLER, JOHN L. NOLAND and PATRICIA O'NEAL to the State Council on Mental Health, in accordance with Gov. Msg. No. 270.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1777 and Gov. Msg. No. 270 was deferred until Friday, April 25, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1778) recommending that the Senate advise and consent to the nomination of TERRILL S. CHILSON to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 240.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1778 and Gov. Msg. No. 240 was deferred until Friday, April 25, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1779) recommending that the Senate advise and consent to the nominations of GRETCHEN S. LAWSON, CHRISTINA M. PILKINGTON and HAROLD DE COSTA to the Commission on Persons with Disabilities, in accordance with Gov. Msg. No. 261.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1779 and Gov. Msg. No. 261 was deferred until Friday, April 25, 1997.

## ORDER OF THE DAY

## FINAL READING

S.B. No. 161, S.D. 1, H.D. 1:

Senator Chun Oakland moved that S.B. No. 161, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Slom rose to speak against the bill and said:

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

"I voted against the bill previously and I was hoping that in conference committee we would solve the problems and the issue that I raised. And basically the issue is that we are not holding the counties and the state to the same standards of regulation and requirement as we do to private day-care providers. And I think that we should all be equal in that regard. So I will be voting 'no' on this bill, Mr. President.

"Thank you."

The motion was then put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 161, S.D. 1, and S.B. No. 161, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Anderson, Slom). Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

S.B. No. 242, S.D. 1, H.D. 2:

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 242, S.D. 1, and S.B. No. 242, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

S.B. No. 262, S.D. 1, H.D. 1:

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 262, S.D. 1, and S.B. No. 262, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

S.B. No. 653, S.D. 2, H.D. 2:

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 653, S.D. 2, and S.B. No. 653, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

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

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

Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

S.B. No. 1874, S.D. 2, H.D. 2:

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1874, S.D. 2, and S.B. No. 1874, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WELFARE TO WORK TRANSITION ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:



Ayes, 21. Noes, none. Excused, 4 (Fukunaga, Iwase, Metcalf, Solomon).

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 251, S.D. 1 (H.D. 2):

Senator Levin moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 251, S.D. 1, seconded by Senator Ihara and carried.

Senator Levin moved that the Senate agree to the amendments proposed by the House to S.B. No. 251, S.D. 1, seconded by Senator Ihara.

Senator Levin explained:

"Mr. President, S.B. No. 251, H.D. 2, deals with the Hawaii Health Systems Corporation. It would expand the membership of the corporation from 11 to 13. The House made only technical nonsubstantive amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 251, S.D. 1, and S.B. No. 251, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was placed on the calendar for Final Reading on Friday, April 25, 1997.

S.B. No. 846, S.D. 1 (H.D. 2):

Senator Levin moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 846, S.D. 1, seconded by Senator Ihara and carried.

Senator Levin moved that the Senate agree to the amendments proposed by the House to S.B. No. 846, S.D. 1, seconded by Senator Ihara.

Senator Levin explained:

"Senate Bill No. 846 deals with controlled substances. Again, it was a nonsubstantive change. We had a definition for something called a mid-level practitioner. It turns out that that phrase is not used in any statute, so it was removed by the House."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 846, S.D. 1, and S.B. No. 846, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was placed on the calendar for Final Reading on Friday, April 25, 1997.

S.B. No. 1624 (H.D. 2):

Senator Tam moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1624, seconded by Senator Aki and carried.

Senator Tam moved that the Senate agree to the amendments proposed by the House to S.B. No. 1624, seconded by Senator Aki.

Senator Tam noted:

"Mr. President and fellow colleagues, the purpose of this bill is to restructure the Advisory Council for Literacy and Lifelong Learning by four points: (1) changing its name to the Advisory Alliance for Literacy and Lifelong Learning; (2) reducing the number of its members from eighteen to seven; (3) changing the appointing authority from the Governor to the Board of

Education; and (4) redefining its purpose so that the Alliance will act as a statewide literacy planning alliance to maximize resources for community level programs."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1624 and S.B. No. 1624, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was placed on the calendar for Final Reading on Friday, April 25, 1997.

S.B. No. 727, S.D. 2 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 10, 1997, in disagreeing to the amendments proposed by the House to S.B. No. 727, S.D. 2, seconded by Senator Chun Oakland and carried.

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 727, S.D. 2, seconded by Senator Chun Oakland.

Senator Kanno then explained:

"Mr. President, the bill has to do with the Public Employees Health Fund. The bill authorizes the use of rate credits or reimbursements from any insurance carrier or self-insured plan to stabilize future health benefits plan or long-term care benefit plan rates. It also requires that excess rate credits or reimbursements from any insurance carrier or self-insured plan be returned to the appropriate general fund."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 727, S.D. 2, and S.B. No. 727, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was placed on the calendar for Final Reading on Friday, April 25, 1997.

#### CONFERENCE COMMITTEE REPORTS

On motion by Senator Ihara, seconded by Senator Slom and carried, the Senate authorized the Senate Clerk to receive Conference Committee Reports on Senate and House bills for Final Reading. In consequence thereof, and subsequent to its recessing at 12:00 o'clock noon, the Senate took the following actions:

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 214, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 214, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5 and H.B. No. 214, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KEAHOLE AIRPORT," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1965, H.D. 1, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 1965, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6 and H.B. No. 1965, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2, H.D. 2, presented a report (Conf.

Com. Rep. No. 7) recommending that H.B. No. 2, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7 and H.B. No. 2, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1660, H.D. 2, presented a report (Conf. Com. Rep. No. 8) recommending that H.B. No. 1660, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8 and H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1638, H.D. 2, presented a report (Conf. Com. Rep. No. 9) recommending that H.B. No. 1638, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9 and H.B. No. 1638, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1706, H.D. 2, presented a report (Conf. Com. Rep. No. 10) recommending that H.B. No. 1706, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10 and H.B. No. 1706, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1894, presented a report (Conf. Com. Rep. No. 11) recommending that H.B. No. 1894, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11 and H.B. No. 1894, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1863, H.D. 2, presented a report (Conf. Com. Rep. No. 12) recommending that H.B. No. 1863, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12 and H.B. No. 1863, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 939, H.D. 1, presented a report (Conf. Com. Rep. No. 13) recommending that H.B. No. 939, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13 and H.B. No. 939, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2202, H.D. 2, presented a report (Conf. Com. Rep. No. 14) recommending that H.B. No. 2202, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14 and H.B. No. 2202, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1899, H.D. 1, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 1899, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15 and H.B. No. 1899, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1006, H.D. 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 1006, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16 and H.B. No. 1006, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 106, H.D. 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 106, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17 and H.B. No. 106, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 141, presented a report (Conf. Com. Rep. No. 18) recommending that H.B. No. 141, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18 and H.B. No. 141, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 103, H.D. 2, presented a report (Conf. Com. Rep. No. 19) recommending that H.B. No. 103, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19 and H.B. No. 103, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO BUSINESS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 351, H.D. 2, presented a report (Conf. Com. Rep. No. 20) recommending that H.B. No. 351, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20 and H.B. No. 351, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 582, H.D. 1, presented a report (Conf. Com. Rep. No. 21) recommending that H.B. No. 582, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21 and H.B. No. 582, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," was deferred for a period of 48 hours.

Senator Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1309, H.D. 1, presented a report (Conf. Com. Rep. No. 22) recommending that H.B. No. 1309, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22 and H.B. No. 1309, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 636, H.D. 2, presented a report (Conf. Com. Rep. No. 23) recommending that H.B. No. 636, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23 and H.B. No. 636, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1762, presented a report (Conf. Com. Rep. No. 24) recommending that H.B. No. 1762, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24 and H.B. No. 1762, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1105, H.D. 2, presented a report (Conf. Com. Rep. No. 25) recommending that H.B. No. 1105, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25 and H.B. No. 1105, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1819, H.D. 1, presented a report (Conf. Com. Rep. No. 26) recommending that H.B. No. 1819, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26 and H.B. No. 1819, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 631, H.D. 2, presented a report (Conf. Com. Rep. No. 27) recommending that H.B. No. 631, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27 and H.B. No. 631, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 111, H.D. 1, presented a report (Conf. Com. Rep. No. 28) recommending that H.B. No. 111, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and H.B. No. 111, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 581, H.D. 1, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 581, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and H.B. No. 581, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1713, H.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that H.B. No. 1713, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and H.B. No. 1713, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 20, H.D. 1, presented a report (Conf. Com. Rep. No. 31) recommending that H.B. No. 20, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and H.B. No. 20, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 116, H.D. 2, presented a report (Conf.

Com. Rep. No. 32) recommending that H.B. No. 116, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and H.B. No. 116, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1012, presented a report (Conf. Com. Rep. No. 33) recommending that H.B. No. 1012, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and H.B. No. 1012, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL DISCIPLINE," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1841, H.D. 3, presented a report (Conf. Com. Rep. No. 34) recommending that H.B. No. 1841, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and H.B. No. 1841, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 65, H.D. 1, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 65, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and H.B. No. 65, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 113, H.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that H.B. No. 113, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and H.B. No. 113, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 107, H.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 107, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and H.B. No. 107, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1451, H.D. 1, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 1451, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and H.B. No. 1451, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 373, presented a report (Conf. Com. Rep. No. 54) recommending that S.B. No. 373, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54 and S.B. No. 373, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 165, S.D. 2, presented a report (Conf. Com. Rep. No. 55) recommending that S.B. No. 165, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55 and S.B. No. 165, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1554, S.D. 1, presented a report (Conf. Com. Rep. No. 56) recommending that S.B. No. 1554, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56 and S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1879, S.D. 2, presented a report (Conf. Com. Rep. No. 57) recommending that S.B. No. 1879, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57 and S.B. No. 1879, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1619, presented a report (Conf. Com. Rep. No. 58) recommending that S.B. No. 1619, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58 and S.B. No. 1619, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 377, S.D. 2, presented a report (Conf. Com. Rep. No. 59) recommending that S.B. No. 377, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59 and S.B. No. 377, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO IMPAIRED DRIVERS," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 835, S.D. 1, presented a report (Conf. Com. Rep. No. 60) recommending that S.B. No. 835, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60 and S.B. No. 835, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1589, S.D. 2, presented a report (Conf. Com. Rep. No. 61) recommending that S.B. No. 1589, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61 and S.B. No. 1589, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 426, S.D. 1, presented a report (Conf. Com. Rep. No. 62) recommending that S.B. No. 426, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62 and S.B. No. 426, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1160, S.D. 1, presented a report (Conf. Com. Rep. No. 63) recommending that S.B. No. 1160, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63 and S.B. No. 1160, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1588, S.D. 1, presented a report (Conf. Com. Rep. No. 64) recommending that S.B. No. 1588, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64 and S.B. No. 1588, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 130, S.D. 1, presented a report (Conf. Com. Rep. No. 65) recommending that S.B. No. 130, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65 and S.B. No. 130, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 382, S.D. 1, presented a report (Conf. Com. Rep. No. 66) recommending that S.B. No. 382, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66 and S.B. No. 382, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 991, S.D. 2, presented a report (Conf. Com. Rep. No. 67) recommending that S.B. No. 991, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67 and S.B. No. 991, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1197, S.D. 1, presented a report (Conf. Com. Rep. No. 68) recommending that S.B. No. 1197, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68 and S.B. No. 1197, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1621, presented a report (Conf. Com. Rep. No. 69) recommending that S.B. No. 1621, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69 and S.B. No. 1621, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 633, S.D. 2, presented a report (Conf. Com. Rep. No. 70) recommending that S.B. No. 633, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70 and S.B. No. 633, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 647, S.D. 1, presented a report (Conf. Com. Rep. No. 71) recommending that S.B. No. 647, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71 and S.B. No. 647, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 718, presented a report (Conf. Com. Rep.

No. 72) recommending that S.B. No. 718, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72 and S.B. No. 718, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 986, S.D. 1, presented a report (Conf. Com. Rep. No. 73) recommending that S.B. No. 986, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73 and S.B. No. 986, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 989, S.D. 1, presented a report (Conf. Com. Rep. No. 74) recommending that S.B. No. 989, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74 and S.B. No. 989, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1069, S.D. 1, presented a report (Conf. Com. Rep. No. 75) recommending that S.B. No. 1069, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75 and S.B. No. 1069, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1267, S.D. 1, presented a report (Conf. Com. Rep. No. 76) recommending that S.B. No. 1267, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76 and S.B. No. 1267, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 5, S.D. 2, presented a report (Conf. Com. Rep. No. 77) recommending that S.B. No. 5, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77 and S.B. No. 5, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 138, S.D. 1, presented a report (Conf. Com. Rep. No. 78) recommending that S.B. No. 138, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78 and S.B. No. 138, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 141, S.D. 1, presented a report (Conf. Com. Rep. No. 79) recommending that S.B. No. 141, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79 and S.B. No. 141, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 152, S.D. 2, presented a report (Conf. Com. Rep. No. 80) recommending that S.B. No. 152, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80 and S.B. No. 152, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 656, S.D. 1, presented a report (Conf. Com. Rep. No. 81) recommending that S.B. No. 656, S.D. 1, H.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81 and S.B. No. 656, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1114, S.D. 1, presented a report (Conf. Com. Rep. No. 82) recommending that S.B. No. 1114, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82 and S.B. No. 1114, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1191, S.D. 1, presented a report (Conf. Com. Rep. No. 83) recommending that S.B. No. 1191, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83 and S.B. No. 1191, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1487, S.D. 1, presented a report (Conf. Com. Rep. No. 84) recommending that S.B. No. 1487, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 84 and S.B. No. 1487, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1522, S.D. 1, presented a report (Conf. Com. Rep. No. 85) recommending that S.B. No. 1522, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85 and S.B. No. 1522, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1901, S.D. 1, presented a report (Conf. Com. Rep. No. 86) recommending that S.B. No. 1901, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 86 and S.B. No. 1901, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 817, S.D. 1, presented a report (Conf. Com. Rep. No. 87) recommending that S.B. No. 817, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 87 and S.B. No. 817, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 870, S.D. 2, presented a report (Conf. Com. Rep. No. 88) recommending that S.B. No. 870, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 88 and S.B. No. 870, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," was deferred for a period of 48 hours.

#### ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 6:00 o'clock p.m., Friday, April 25, 1997.

## FIFTY-NINTH DAY

Friday, April 25, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 6:18 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Goodman, Presbyterian Church (USA), after which the Roll was called showing all Senators present with the exception of Senators Fernandes Salling and Iwase who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 330 to 332) were read by the Clerk and were placed on file:

Gov. Msg. No. 330, Informing the Senate that on April 23, 1997, he signed the following bills into law:

House Bill No. 364 as Act 47, entitled: "RELATING TO SECURITIES";

House Bill No. 387 as Act 48, entitled: "RELATING TO NURSES";

House Bill No. 460 as Act 49, entitled: "RELATING TO THE DISPOSITION OF FINANCIAL DISCLOSURE STATEMENTS";

House Bill No. 462 as Act 50, entitled: "RELATING TO FINES FOR LATE FILERS OF FINANCIAL INTERESTS DISCLOSURES";

House Bill No. 463 as Act 51, entitled: "RELATING TO FRIVOLOUS CHARGES";

House Bill No. 617 as Act 52, entitled: "RELATING TO CHILDREN BORN TO PARENTS NOT MARRIED TO EACH OTHER";

House Bill No. 789 as Act 53, entitled: "RELATING TO FIREARMS";

House Bill No. 1085 as Act 54, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 1203 as Act 55, entitled: "RELATING TO CRIMINAL PROCEDURE";

House Bill No. 1296 as Act 56, entitled: "RELATING TO GARNISHMENT";

House Bill No. 1326 as Act 57, entitled: "RELATING TO LIQUOR";

House Bill No. 1377 as Act 58, entitled: "RELATING TO THE DISPOSITION OF JUDICIARY RECORDS";

House Bill No. 1382 as Act 59, entitled: "RELATING TO ADJUDICATION OF TRAFFIC INFRACTIONS";

House Bill No. 1387 as Act 60, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

House Bill No. 1407 as Act 61, entitled: "RELATING TO THE CERTIFICATION OF ELECTION RESULTS";

House Bill No. 1579 as Act 62, entitled: "RELATING TO AGRICULTURE";

House Bill No. 1580 as Act 63, entitled: "RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE";

House Bill No. 1693 as Act 64, entitled: "RELATING TO THE HAWAII STRATEGIC DEVELOPMENT CORPORATION";

House Bill No. 1718 as Act 65, entitled: "RELATING TO RECOVERY OF PAYMENTS";

House Bill No. 1748 as Act 66, entitled: "RELATING TO KAHO'OLAWA PENALTIES";

House Bill No. 1750 as Act 67, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1756 as Act 68, entitled: "RELATING TO PENALTIES FOR VIOLATIONS OF ADMINISTRATIVE RULES";

House Bill No. 1760 as Act 69, entitled: "RELATING TO MOTOR VEHICLE SAFETY";

Senate Bill No. 137 as Act 70, entitled: "RELATING TO HEALTH";

Senate Bill No. 1159 as Act 71, entitled: "RELATING TO BUSINESS CORPORATIONS";

Senate Bill No. 1303 as Act 72, entitled: "RELATING TO INSURANCE RATE REGULATION";

Senate Bill No. 1304 as Act 73, entitled: "RELATING TO HIGHWAY SAFETY";

Senate Bill No. 1363 as Act 74, entitled: "RELATING TO MEDICINE AND SURGERY";

Senate Bill No. 1484 as Act 75, entitled: "RELATING TO THE INSURANCE CODE"; and

Senate Bill No. 1778 as Act 76, entitled: "RELATING TO ELECTRICIANS."

Gov. Msg. No. 331, dated April 16, 1997, transmitting the Department of Health, Alcohol and Drug Abuse Division, Annual Report for Fiscal Year 1996.

Gov. Msg. No. 332, dated April 16, 1997, transmitting a report prepared by the Department of Health pursuant to Act 189, SLH 1995, requesting the Department of Health to keep waiting lists of all individuals with developmental disabilities, mental retardation or both, who are eligible for services and supports but for whom services and supports have not been provided for any reason, and to report annually to the legislature the numbers of persons waiting for services and supports and the reasons for the lack of services and support.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 851 to 860) were read by the Clerk and were placed on file:

Hse. Com. No. 851, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 124 (H.D. 1), and the request for a conference on the subject matter of said amendments, the Speaker on April 24, 1997, appointed Representatives Stegmaier, chairman, Morita, Takai, Halford, as managers on the part of the House for the consideration of said amendments.

Hse. Com. No. 852, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the



House to S.C.R. No. 171, S.D. 1 (H.D. 1), and the request for a conference on the subject matter of said amendments, the Speaker on April 24, 1997, appointed Representatives Stegmaier, chairman, Morita, Santiago, Moses, as managers on the part of the House for the consideration of said amendments.

Hse. Com. No. 853, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 182, S.D. 1 (H.D. 1), and the request for a conference on the subject matter of said amendments, the Speaker on April 24, 1997, appointed Representatives Stegmaier, chairman, Morita, Morihara, McDermott, as managers on the part of the House for the consideration of said amendments.

Hse. Com. No. 854, informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to S.C.R. No. 270, S.D. 1 (H.D. 1), and the request for a conference on the subject matter of said amendments, the Speaker on April 24, 1997, appointed Representatives Stegmaier, chairman, Morita, Tarnas, Moses, as managers on the part of the House for the consideration of said amendments.

Hse. Com. No. 855, informing the Senate that the amendments proposed by the Senate to H.C.R. No. 18, H.D. 1, were agreed to by the House and H.C.R. No. 18, H.D. 1, S.D. 1, was finally adopted in the House of Representatives on April 24, 1997.

Hse. Com. No. 856, informing the Senate that the amendments proposed by the Senate to H.C.R. No. 128, H.D. 1, were agreed to by the House and H.C.R. No. 128, H.D. 1, S.D. 1, was finally adopted in the House of Representatives on April 24, 1997.

Hse. Com. No. 857, informing the Senate that the amendments proposed by the Senate to H.C.R. No. 168, H.D. 1, were agreed to by the House and H.C.R. No. 168, H.D. 1, S.D. 1, was finally adopted in the House of Representatives on April 24, 1997.

Hse. Com. No. 858, informing the Senate that the House, on April 23, 1997, reconsidered its action taken in disagreeing to the amendments proposed by the Senate to the following House bills and has on April 24, 1997, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 112, H.D. 2, S.D. 1;  
H.B. No. 1619, H.D. 2, S.D. 1;  
H.B. No. 1625, H.D. 1, S.D. 2; and  
H.B. No. 1814, H.D. 1, S.D. 1.

Hse. Com. No. 859, returning S.C.R. No. 109, which was adopted by the House of Representatives on April 24, 1997.

Hse. Com. No. 860, returning S.C.R. No. 128, S.D. 1, which was adopted by the House of Representatives on April 24, 1997.

#### CONFERENCE COMMITTEE REPORTS

Senator M. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1287, H.D. 1, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 1287, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 1287, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," was deferred for a period of 48 hours.

Senator M. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1686, H.D. 1, presented a report (Conf.

Com. Rep. No. 40) recommending that H.B. No. 1686, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 1686, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1675, H.D. 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 1675, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and H.B. No. 1675, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1771, presented a report (Conf. Com. Rep. No. 42) recommending that H.B. No. 1771, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and H.B. No. 1771, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1774, presented a report (Conf. Com. Rep. No. 43) recommending that H.B. No. 1774, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and H.B. No. 1774, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1776, presented a report (Conf. Com. Rep. No. 44) recommending that H.B. No. 1776, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44 and H.B. No. 1776, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1777, presented a report (Conf. Com. Rep. No. 45) recommending that H.B. No. 1777, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45 and H.B. No. 1777, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1778, H.D. 1, presented a

report (Conf. Com. Rep. No. 46) recommending that H.B. No. 1778, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46 and H.B. No. 1778, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1792, presented a report (Conf. Com. Rep. No. 47) recommending that H.B. No. 1792, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47 and H.B. No. 1792, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 979, H.D. 2, presented a report (Conf. Com. Rep. No. 48) recommending that H.B. No. 979, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48 and H.B. No. 979, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1664, H.D. 1, presented a report (Conf. Com. Rep. No. 49) recommending that H.B. No. 1664, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49 and H.B. No. 1664, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 417, H.D. 3, presented a report (Conf. Com. Rep. No. 50) recommending that H.B. No. 417, H.D. 3, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50 and H.B. No. 417, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1683, S.D. 1, presented a report (Conf. Com. Rep. No. 89) recommending that S.B. No. 1683, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 89 and S.B. No. 1683, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 252, S.D. 1, presented a report (Conf.

Com. Rep. No. 90) recommending that S.B. No. 252, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 90 and S.B. No. 252, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1780) recommending that the Senate advise and consent to the nominations of ELAINE H. KOMO and VIRGINIA L. MOORE to the Hawai'i Library Advisory Commission, in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1780 and Gov. Msg. No. 310 was deferred until Tuesday, April 29, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1781) recommending that the Senate advise and consent to the nomination of EUNICE M. DEMELLO to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 292.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1781 and Gov. Msg. No. 292 was deferred until Tuesday, April 29, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1782) recommending that the Senate advise and consent to the nomination of BENJAMIN T. TORIGOE to the Hawai'i Historic Places Review Board, in accordance with Gov. Msg. No. 295.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1782 and Gov. Msg. No. 295 was deferred until Tuesday, April 29, 1997.

Senators Aki and Tam, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1783) recommending that the Senate advise and consent to the nominations of LUCY M. AKAU, GEORGE W.H. KANIHO, JOELENE K. LONO, CAROLEE K.K. ARICAYOS, CANDACE K. LEE, LANE KAAIAI, ANTOINETTE L. LEE, MARY ANN HUTCHINSON, SHERRY K. EVANS and ABIGAIL K. ROSA to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 309.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1783 and Gov. Msg. No. 309 was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1784) recommending that H.B. No. 248, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1784 and H.B. No. 248, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1785) recommending that H.B. No. 1658, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1785 and H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1786) recommending that H.B. No. 1659 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1786 and H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1787) recommending that H.B. No. 1662 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1787 and H.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1788) recommending that H.B. No. 1709, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1788 and H.B. No. 1709, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1789) recommending that H.B. No. 2016, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1789 and H.B. No. 2016, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII-HILO THEATRE REVOLVING FUND," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1790) recommending that H.B. No. 787 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1790 and H.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1791) recommending that H.B. No. 1687 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1791 and H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1792) recommending that H.B. No. 1855, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1792 and H.B. No. 1855, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1793) recommending that H.B. No. 1869, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1793 and H.B. No. 1869, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE INSURANCE," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1794) recommending that H.B. No. 1878, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1794 and H.B. No. 1878, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1795) recommending that H.B. No. 1895, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1795 and H.B. No. 1895, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1796) recommending that H.B. No. 1896, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1796 and H.B. No. 1896, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1797) recommending that H.B. No. 2110, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1797 and H.B. No. 2110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY EXEMPTIONS FROM REAL PROPERTY TAXES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1798) recommending that H.B. No. 1572, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1798 and H.B. No. 1572, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1799) recommending that H.B. No. 1573 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1799 and H.B. No. 1573, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1800) recommending that H.B. No. 1574 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1800 and H.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1801) recommending that H.B. No. 1576 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1801 and H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1802) recommending that H.B. No. 1581 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1802 and H.B. No. 1581, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1803) recommending that H.B. No. 1696, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1803 and H.B. No. 1696, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1804) recommending that H.B. No. 2214 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1804 and H.B. No. 2214, entitled: "A BILL FOR AN ACT RELATING TO COFFEE CERTIFICATION," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1805) recommending that H.B. No. 2238, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1805 and H.B. No. 2238, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1806) recommending that H.B. No. 816, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1806 and H.B. No. 816, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1807) recommending that H.B. No. 1463, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1807 and H.B. No. 1463, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1808) recommending that H.B. No. 1615 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1808 and H.B. No. 1615, entitled: "A BILL FOR AN ACT

RELATING TO VACATION ALLOWANCES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1809) recommending that H.B. No. 1617, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1809 and H.B. No. 1617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1810) recommending that H.B. No. 1620, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1810 and H.B. No. 1620, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1811) recommending that H.B. No. 1719 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1811 and 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," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1812) recommending that H.B. No. 1810 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1812 and H.B. No. 1810, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1813) recommending that H.B. No. 1812, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1813 and H.B. No. 1812, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1814) recommending that H.B. No. 1381, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1814 and H.B. No. 1381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEAL COURT FEES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1815) recommending that H.B. No. 1631, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1815 and H.B. No. 1631, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No.

1816) recommending that H.B. No. 1634, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1816 and H.B. No. 1634, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1817) recommending that H.B. No. 1036, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1817 and H.B. No. 1036, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1818) recommending that H.B. No. 1104, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1818 and H.B. No. 1104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1819) recommending that H.B. No. 1746 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1819 and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1820) recommending that H.B. No. 1752, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1820 and H.B. No. 1752, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1821) recommending that H.B. No. 1768, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1821 and H.B. No. 1768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1822) recommending that H.B. No. 1707 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1822 and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1823) recommending that H.B. No. 1757, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1823 and H.B. No. 1757, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO CONCESSIONS ON PUBLIC PROPERTY," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1824) recommending that H.B. No. 264, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1824 and H.B. No. 264, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE WILCOX HEALTH SYSTEM," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1825) recommending that H.B. No. 1753, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1825 and H.B. No. 1753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1826) recommending that H.B. No. 1712, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1826 and H.B. No. 1712, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1827) recommending that H.B. No. 1642 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1642, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC FILING OF TAX RETURNS," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1828) recommending that H.B. No. 1643, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS TO THE STATE BY ELECTRONIC FUNDS TRANSFER," passed Second Reading and was placed on the calendar for Third Reading on Tuesday, April 29, 1997.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1829) recommending that the Senate advise and consent to the nomination of LANI RAE SUIISO GARCIA to the Hawai'i Paroling Authority, in accordance with Gov. Msg. No. 296.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1829 and Gov. Msg. No. 296 was deferred until Tuesday, April 29, 1997.

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1830) recommending that the Senate advise and consent to the nominations of the following:

SUMNER PARDEE ERDMAN to the Board of Agriculture, in accordance with Gov. Msg. No. 289;

ROSE CRUZ CHURMA, PAUL Y. CHINEN and AUDREY E.J. NG to the Board of Directors, Hawai'i Strategic Development Corporation, in accordance with Gov. Msg. No. 297; and

SAM SHENKUS, LETICIA T. GAOING, HIDEAKI IMURA, LESTER W.B. MOORE and ROSS WILSON JR., to the Hawai'i Tourism Marketing Council, in accordance with Gov. Msg. No. 298.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1830 and Gov. Msg. No. 289, 297 and 298 was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1831) recommending that the Senate advise and consent to the nomination of RICKI K. TAMANAHA to the Board of Taxation Review, Second Taxation District (Maui County), in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1831 and Gov. Msg. No. 251 was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1832) recommending that the Senate advise and consent to the nomination of ALVIN WAKAYAMA to the Board of Taxation Review, Third Taxation District (Hawai'i), in accordance with Gov. Msg. No. 252.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1832 and Gov. Msg. No. 252 was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1833) recommending that the Senate advise and consent to the nominations of GEORGE M. MENOR and EDUARDO TOPENIO, JR., to the Board of Taxation Review, Fourth Taxation District (Kauai), in accordance with Gov. Msg. No. 253.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1833 and Gov. Msg. No. 253 was deferred until Tuesday, April 29, 1997.

Senators Fernandes Salling and Fukunaga, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1834) recommending that the Senate advise and consent to the nomination of AMOR B. NINO to the Board of Taxation Review, First Taxation District (Oahu), in accordance with Gov. Msg. No. 318.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1834 and Gov. Msg. No. 318 was deferred until Tuesday, April 29, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1835) recommending that the Senate advise and consent to the nomination of GEORGE NIITANI to the Civil Service Commission, in accordance with Gov. Msg. No. 291.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1835 and Gov. Msg. No. 291 was deferred until Tuesday, April 29, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1836) recommending that H.C.R. No. 250, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 250, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EVALUATE THE BIG ISLAND PILOT PROJECT ON MENTAL HEALTH SERVICES," was adopted.

#### ORDER OF THE DAY

#### AGREE/DISAGREE AND ADOPTION OF RESOLUTIONS

#### MATTERS DEFERRED FROM TUESDAY, APRIL 22, 1997

S.C.R. No. 10 (H.D. 1):

By unanimous consent, action on S.C.R. No. 10 (H.D. 1) was deferred to the end of the calendar.

S.C.R. No. 11 (H.D. 1):

By unanimous consent, action on S.C.R. No. 11 (H.D. 1) was deferred to the end of the calendar.

S.C.R. No. 26 (H.D. 1):

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 26 and S.C.R. No. 26, H.D. 1, be finally adopted, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Mr. President, S.C.R. No. 26 urges a concerted state effort to encourage state agencies and private providers to meet the needs of the youth in the Waialua and Laie region. We agreed to the clarifying amendments made to this resolution."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 26 and S.C.R. No. 26, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED STATE EFFORT TO ENCOURAGE STATE AGENCIES AND PRIVATE PROVIDERS TO MEET THE NEEDS OF YOUTH IN THE WAIALUA AND LAIE REGION," was finally adopted.

S.C.R. No. 116 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 116 and S.C.R. No. 116, H.D. 1, be finally adopted, seconded by Senator D. Ige.

Senator Baker then noted:

"Mr. President, S.C.R. No. 116 requests the Judiciary to study an implementation procedure for the certification of legal specialists within the State of Hawaii. The House amended the title to clarify the resolution's intent."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 116 and S.C.R. No. 116, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY AN IMPLEMENTATION PROCEDURE FOR THE CERTIFICATION OF LEGAL SPECIALISTS WITHIN THE STATE OF HAWAII," was finally adopted.

S.C.R. No. 164 (H.D. 1):

Senator Kawamoto moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 164 and

S.C.R. No. 164, H.D. 1, be finally adopted, seconded by Senator Sakamoto.

Senator Kawamoto explained:

"Mr. President, the resolution calls for requesting the Department of Transportation, the City and County of Honolulu Department of Transportation Services, in consultation with the Federal Highway Administration, to begin new discussions on the rapid transit plans for the City and County of Honolulu and report their findings to the Legislature prior to the 1998 session. This resolution was supported by the Department of Transportation, City and County of Honolulu, Leeward Oahu Transportation Management Association, Chamber of Commerce, the Transportation Committee and the Pacific Resources Partnership."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 164 and S.C.R. No. 164, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A NEW DISCUSSION ON A RAPID TRANSIT PLAN FOR OAHU," was finally adopted.

At 6:34 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:40 o'clock p.m.

S.C.R. No. 198 (H.D. 1):

By unanimous consent, action on S.C.R. No. 198, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was deferred until Tuesday, April 29, 1997.

S.C.R. No. 203, S.D. 1 (H.D. 1):

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 203, S.D. 1, and S.C.R. No. 203, S.D. 1, H.D. 1, be finally adopted, seconded by Senator Kanno.

Senator Chun Oakland noted:

"Mr. President, S.C.R. 203, S.D. 1, requests the study of the homeless at the Honolulu International Airport. The amendments made by the House include Hawaii Housing Authority now being the designated lead agency who, in consultation with DOT, DBEDT, DOH, Attorney General and private non-profits, will conduct the study."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 203, S.D. 1, and S.C.R. No. 203, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE HOMELESS AT THE HONOLULU INTERNATIONAL AIRPORT," was finally adopted.

S.C.R. No. 256 (H.D. 1):

Senator Baker moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 256 and S.C.R. No. 256, H.D. 1, be finally adopted, seconded by Senator D. Ige.

Senator Baker explained:

"Mr. President, S.C.R. No. 256 requests a study of the tort system and the impacts of providing statutory immunity under certain circumstances. The House again made clarifying amendments to specify certain members of the business community for participation in the study. And your joint committees are in agreement with these amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 256 and S.C.R. No. 256, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE TORT SYSTEM AND THE IMPACTS OF PROVIDING STATUTORY IMMUNITY UNDER CERTAIN CIRCUMSTANCES," was finally adopted.

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 1776 (Gov. Msg. No. 312):

Senator McCartney moved that Stand. Com. Rep. No. 1776 be received and placed on file, seconded by Senator Ihara and carried.

Senator McCartney then moved that the Senate advise and consent to the nominations of ANNA C. KAOHELALUII, MICHAEL H. KIDO and PASCUAL DABIS to the Natural Area Reserves System Commission, terms to expire June 30, 2001, seconded by Senator Ihara.

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

Ayes, 19. Noes, none. Excused, 6 (Anderson, Fernandes Salling, Fukunaga, Iwase, Solomon, Tanaka).

Stand. Com. Rep. No. 1777 (Gov. Msg. No. 270):

Senator Levin moved that Stand. Com. Rep. No. 1777 be received and placed on file, seconded by Senator Metcalf and carried.

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

LINDA COCHRAN and ROBERT K. WEAD, terms to expire June 30, 2000; and

GABRIELLE B. BATZER, M.D., LAURA FLANNELLY, Ph.D., PAT MILLER, JOHN L. NOLAND and PATRICIA O'NEAL, terms to expire June 30, 2001,

seconded by Senator Metcalf.

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

Ayes, 19. Noes, none. Excused, 6 (Anderson, Fernandes Salling, Fukunaga, Iwase, Solomon, Tanaka).

Stand. Com. Rep. No. 1778 (Gov. Msg. No. 240):

Senator Levin moved that Stand. Com. Rep. No. 1778 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of TERRILL S. CHILSON to the State Planning Council on Developmental Disabilities, term to expire June 30, 2000, seconded by Senator Metcalf.

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

Ayes, 19. Noes, none. Excused, 6 (Anderson, Fernandes Salling, Fukunaga, Iwase, Solomon, Tanaka).

Stand. Com. Rep. No. 1779 (Gov. Msg. No. 261):

Senator Levin moved that Stand. Com. Rep. No. 1779 be received and placed on file, seconded by Senator Metcalf and carried.

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

GRETCHEN S. LAWSON, term to expire June 30, 2000; and

CHRISTINA M. PILKINGTON and HAROLD DE COSTA, terms to expire June 30, 2001,

seconded by Senator Metcalf.

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

Ayes, 19. Noes, none. Excused, 6 (Anderson, Fernandes Salling, Fukunaga, Iwase, Solomon, Tanaka).

### FINAL READING

S.B. No. 251, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 251, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred until Tuesday, April 29, 1997.

S.B. No. 727, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 727, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Tuesday, April 29, 1997.

S.B. No. 846, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 846, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred until Tuesday, April 29, 1997.

S.B. No. 1624, H.D. 2:

By unanimous consent, action on S.B. No. 1624, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred until Tuesday, April 29, 1997.

Conf. Com. Rep. No. 51 (S.B. No. 135, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51 and S.B. No. 135, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," was deferred until Tuesday, April 29, 1997.

Conf. Com. Rep. No. 52 (S.B. No. 512, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52 and S.B. No. 512, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," was deferred until Tuesday, April 29, 1997.

### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 293, S.D. 1 (H.D. 1):

Senator Matsunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 293, S.D. 1, seconded by Senator Chumbley and carried.

Senator Matsunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 293, S.D. 1, seconded by Senator Chumbley.

Senator Matsunaga explained:

"Mr. President, with respect to S.B. No. 293 which clarifies the no contact orders issued by police officers in domestic abuse cases, the changes made by the House were to expand it to include no further contact at any place, and secondly, to clarify that it's only against initiating contact."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 293, S.D. 1, and S.B. No. 293, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was placed on the calendar for Final Reading on Tuesday, April 29, 1997.

S.B. No. 1064, S.D. 1 (H.D. 1):

Senator Matsunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1064, S.D. 1, seconded by Senator Chumbley and carried.

Senator Matsunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1064, S.D. 1, seconded by Senator Chumbley.

Senator Matsunaga noted:

"With respect to S.B. No. 1064 which is the qualification for political parties, the changes that the House made basically deleted the requirement for entering the social security numbers and extended the time for filing a petition from 150 to 170 days."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1064, S.D. 1, and S.B. No. 1064, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," was placed on the calendar for Final Reading on Tuesday, April 29, 1997.

S.B. No. 1464, S.D. 1 (H.D. 1):

Senator M. Ige moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1464, S.D. 1, seconded by Senator Bunda and carried.

Senator M. Ige moved that the Senate agree to the amendments proposed by the House to S.B. No. 1464, S.D. 1, seconded by Senator Bunda.

Senator M. Ige then noted:

"Mr. President, the House amended this bill by incorporating the substance of S.B. No. 908, which amends Section 201E-221, Hawaii Revised Statutes, by decreasing the HFDCs buy-back period from ten years to three years, and providing for the automatic repeal of this measure on December 31, 2000."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1464, S.D. 1, and S.B. No. 1464, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was placed on the calendar for Final Reading on Tuesday, April 29, 1997.

S.B. No. 26 (H.D. 1):

Senator Tam moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 26, seconded by Senator Aki and carried.



Senator Tam moved that the Senate agree to the amendments proposed by the House to S.B. No. 26, seconded by Senator Aki.

Senator Tam noted:

"Mr. President and fellow colleagues, this bill which we accepted in regards to the H.D. 1 clarifies in terms of what is damaged property by the students by using the term 'destruction.' Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 26 and S.B. No. 26, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," was placed on the calendar for Final Reading on Tuesday, April 29, 1997.

At 6:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:52 o'clock p.m.

### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

#### AGREE/DISAGREE AND ADOPTION OF RESOLUTIONS

S.C.R. No. 10 (H.D. 1):

Senator Solomon moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 10 and S.C.R. No. 10, H.D. 1, be finally adopted, seconded by Senator McCartney.

Senator Solomon noted:

"The House generally has agreed with the Senate. They made no amendments to the resolution and we would like to recommend that we agree."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 10 and S.C.R. No. 10, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT PUA KA 'ILIMA 'O KAWAIHAE BE DESIGNATED A SITE FOR RECREATIONAL, EDUCATIONAL AND CULTURAL OCEAN ACTIVITIES," was finally adopted.

S.C.R. No. 11 (H.D. 1):

Senator Solomon moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 11 and S.C.R. No. 11, H.D. 1, be finally adopted, seconded by Senator McCartney.

Senator Solomon explained:

"The House generally has agreed with the Senate. They made no amendments to the resolution and we would like to recommend that we agree."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 11 and S.C.R. No. 11, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE ON NATIVE HAWAIIAN CULTURAL FOOD RESOURCES," was finally adopted.

Senator Solomon rose on a point of personal privilege and stated:

"Mr. President, I'd like to rise on a point of personal privilege.

"Mr. President, I'm very pleased to report that your Committee on Water, Land, and Hawaiian Affairs was able to come up with what I feel is a very reasonable package as it pertains to the Hawaiian issues. Mr. President, it was a very, very difficult conference being that we were dealing with the House who had refused to move on the native claims. As of two o'clock this afternoon they were still unwilling to move. The House had very, very strong mana'o and positions that were within the ceded land bill. As to the retroactivity of the Heely decision, we've been able to get the House to move off of that position.

"Mr. President, I'd like to report to my colleagues that we cannot satisfy all of the Hawaiian groups, but I did make a comment to the Office of Hawaiian Affairs chairman, Trustee Hee, who was a fellow colleague of ours here in the Senate, that OHA has resources that they can rally on their own and if they are very dissatisfied with what the bill intends and does, they can act accordingly as to how they can benefit the Hawaiians.

"But I was more concerned, Mr. President, with the native claims which involved 165 kupuna who've been waiting on the Hawaiian Homes list -- some of them for over 50 years, those that were disenfranchised, those that had no real strong advocate on their behalf. I felt it imperative that the Senate package those two bills so that we could kokua those that needed our help most.

"And the reason for that, Mr. President, is that it's really our generation which can do something about it. We saw our parents and our grandparents being kicked out of Kalama Valley, we saw them getting kicked out of Sand Island, we've seen them being displaced off the Hawaiian Homes' waiting list, some of them dying in the process. For me, Mr. President, this is a very emotional issue. I cannot divorce my emotions because we have been deliberating on these issues for the past 20 years in this body.

"I get very, very distressed, Mr. President, when I read in the newspaper that now they're blaming the bond rating of this state on the Hawaiian issue. I cannot accept that. It's not just the Hawaiian issues and the uncertainties by the Judiciary in their interpretations, Mr. President. What about the economy? What about the bankruptcies that we're seeing everyday in the State of Hawaii? And to have the newspapers and some people out there blaming the Hawaiians for the poor bond rating in the State of Hawaii because the Hawaiians only want justice and what they rightfully deserve, I find that totally unacceptable!

"And I'm hoping, Mr. President, that as we bring this Legislature to a close, that I can convince each and every one of my colleagues sitting here as to how ridiculous -- how ridiculous -- that kind of thinking can be. And if I cannot, Mr. President, heaven help this state; heaven help the Democrat Party which struggled, struggled so hard for so many years to help those who are disenfranchised, to help those who have not received justice, to help those who have been unfairly treated, to help lift people up, to give them hope, and to give them guidance. And we in the Senate can come up with just that, Mr. President, in our Hawaiian package. We are creating the process. We've agreed to a land inventory, agreed to a process that would bring these issues to a closure.

"And it disturbs me, Mr. President, when I see many of the law firms downtown getting involved in this issue! When we see the law firms trying to put their mana'o into the bill about the land fees. When we have the law firms downtown, Mr. President, advocating the position that it's the Hawaiians and the uncertainty they created that are causing the problem. That really disturbs me greatly! I thought we had come away from that kind of thinking. That was the kind of mana'o we had 150 years ago when we were dominated by the Big Five, when we were dominated by the plantations, when we were dominated by the missionary influence in this state. We, as all racial

groups in this state, have risen above all of that, Mr. President, and how we treat the Hawaiians is how we treat ourselves.

"Yes, I am emotional and I have every right to be so, because in my political tenure I've seen the Hawaiians give up a lot so that we can remain part of this process. We believed in negotiation. Mr. President, we had a kingdom with treaties with 15 foreign nations. We had our own postal service. We had a public education system. We understood what it means to be part of a legislative process. This is why we're not in a situation like Bosnia or Ireland where people are bearing arms to settle their disputes. People have faith in us, faith in the process, faith in democracy, to bring about justice and resolve. This is what Hawaii is all about. This is what makes us great in the world. This is what the Spirit of Aloha is.

"And, Mr. President, I am counting on you and the Senate leadership to guide us through these turbulent times, to bring justice to the Hawaiian people that is the basis of this state, the culture of which has made tourism No. 1 in our economy. The Hawaiians have sacrificed and gave up their primary recreational areas so that we could push and drive our economy forward. I'm counting on you, Mr. President, and the leadership in the House to be sure that when these issues are decided, that we are going to be able to stand firm and 'onipa'a behind what is right.

"Thank you very much."

#### CONFERENCE COMMITTEE REPORTS STANDING COMMITTEE REPORTS

On motion by Senator McCartney, seconded by Senator Anderson and carried unanimously, the Senate authorized the Clerk to receive Conference Committee Reports on bills for Final Reading and Standing Committee Reports on Governor's Messages for advise and consent to nominations. The Senate further authorized the adoption of standing committee reports recommending that House concurrent resolutions be adopted. In consequence thereof, and subsequent to its recessing at 7:03 o'clock p.m., the Senate took the following actions:

#### CONFERENCE COMMITTEE REPORTS

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1266, S.D. 2, presented a report (Conf. Com. Rep. No. 91) recommending that S.B. No. 1266, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 91 and S.B. No. 1266, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1268, S.D. 2, presented a report (Conf. Com. Rep. No. 92) recommending that S.B. No. 1268, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 92 and S.B. No. 1268, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1794, S.D. 1, presented a report (Conf. Com. Rep. No. 93) recommending that S.B. No. 1794, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 93 and S.B. No. 1794, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," was deferred for a period of 48 hours.

Senator Baker, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1032, S.D. 2, presented a report (Conf. Com. Rep. No. 94) recommending that S.B. No. 1032, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 94 and S.B. No. 1032, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," was deferred for a period of 48 hours.

Senator D. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1535, S.D. 1, presented a report (Conf. Com. Rep. No. 95) recommending that S.B. No. 1535, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 95 and S.B. No. 1535, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 375, presented a report (Conf. Com. Rep. No. 96) recommending that S.B. No. 375, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 96 and S.B. No. 375, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 257, S.D. 2, presented a report (Conf. Com. Rep. No. 97) recommending that S.B. No. 257, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 97 and S.B. No. 257, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 717, S.D. 2, presented a report (Conf. Com. Rep. No. 98) recommending that S.B. No. 717, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 98 and S.B. No. 717, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 208, S.D. 1, presented a report (Conf. Com. Rep. No. 99) recommending that S.B. No. 208, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 99 and S.B. No. 208, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 927, S.D. 1, presented a report (Conf. Com. Rep. No. 100) recommending that S.B. No. 927, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 100 and S.B. No. 927, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1370, H.D. 2, presented a report (Conf. Com. Rep. No. 101) recommending that H.B. No. 1370, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101 and H.B. No. 1370, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," was deferred for a period of 48 hours.

Senator M. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1796, H.D. 1, presented a report (Conf. Com. Rep. No. 102) recommending that H.B. No. 1796, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102 and H.B. No. 1796, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1657, H.D. 1, presented a report (Conf. Com. Rep. No. 103) recommending that H.B. No. 1657, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 103 and H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2234, H.D. 1, presented a report (Conf. Com. Rep. No. 104) recommending that H.B. No. 2234, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 104 and H.B. No. 2234, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1775, presented a report (Conf. Com. Rep. No. 105) recommending that H.B. No. 1775, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 105 and H.B. No. 1775, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1732, H.D. 2, presented a report (Conf. Com. Rep. No. 106) recommending that H.B. No. 1732, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 106 and H.B. No. 1732, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1547, H.D. 2, presented a report (Conf. Com. Rep. No. 107) recommending that H.B. No. 1547, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 107 and H.B. No. 1547, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1023, presented a report (Conf. Com. Rep. No. 108) recommending that H.B. No. 1023, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 108 and H.B. No. 1023, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1731, H.D. 1, presented a report (Conf. Com. Rep. No. 109) recommending that H.B. No. 1731, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 109 and H.B. No. 1731, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 120, H.D. 1, presented a report (Conf. Com. Rep. No. 110) recommending that H.B. No. 120, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 110 and H.B. No. 120, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 147, H.D. 1, presented a report (Conf. Com. Rep. No. 111) recommending that H.B. No. 147, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 111 and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by

the Senate to H.B. No. 1836, H.D. 2, presented a report (Conf. Com. Rep. No. 112) recommending that H.B. No. 1836, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 112 and H.B. No. 1836, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2032, H.D. 2, presented a report (Conf. Com. Rep. No. 113) recommending that H.B. No. 2032, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 113 and H.B. No. 2032, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1781, presented a report (Conf. Com. Rep. No. 114) recommending that H.B. No. 1781, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 114 and H.B. No. 1781, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1857, H.D. 1, presented a report (Conf. Com. Rep. No. 115) recommending that H.B. No. 1857, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 115 and H.B. No. 1857, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," was deferred for a period of 48 hours.

Senator Iwase, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2207, H.D. 2, presented a report (Conf. Com. Rep. No. 116) recommending that H.B. No. 2207, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 116 and H.B. No. 2207, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 931, H.D. 2, presented a report (Conf. Com. Rep. No. 117) recommending that H.B. No. 931, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 117 and H.B. No. 931, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1690, H.D. 1, presented a report (Conf.

Com. Rep. No. 118) recommending that H.B. No. 1690, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 118 and H.B. No. 1690, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1656, H.D. 1, presented a report (Conf. Com. Rep. No. 119) recommending that H.B. No. 1656, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 119 and H.B. No. 1656, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1804, H.D. 1, presented a report (Conf. Com. Rep. No. 120) recommending that H.B. No. 1804, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 120 and H.B. No. 1804, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," was deferred for a period of 48 hours.

Senator Sakamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1618, presented a report (Conf. Com. Rep. No. 121) recommending that S.B. No. 1618, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 121 and S.B. No. 1618, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND," was deferred for a period of 48 hours.

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1943, S.D. 1, presented a report (Conf. Com. Rep. No. 122) recommending that S.B. No. 1943, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 122 and S.B. No. 1943, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Senator Fukunaga, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1919, S.D. 1, presented a report (Conf. Com. Rep. No. 123) recommending that S.B. No. 1919, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 123 and S.B. No. 1919, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1571, S.D. 1, presented a report (Conf. Com. Rep. No. 124) recommending that S.B. No. 1571, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 124 and S.B. No. 1571, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1421, S.D. 2, presented a report (Conf. Com. Rep. No. 125) recommending that S.B. No. 1421, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 125 and S.B. No. 1421, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," was deferred for a period of 48 hours.

Senator M. Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1632, S.D. 2, presented a report (Conf. Com. Rep. No. 126) recommending that S.B. No. 1632, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 126 and S.B. No. 1632, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 37, S.D. 1, presented a report (Conf. Com. Rep. No. 127) recommending that S.B. No. 37, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 127 and S.B. No. 37, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1891, S.D. 1, presented a report (Conf. Com. Rep. No. 128) recommending that S.B. No. 1891, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 128 and S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 58, S.D. 1, presented a report (Conf. Com. Rep. No. 129) recommending that S.B. No. 58, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 129 and S.B. No. 58, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1951, presented a report (Conf. Com. Rep. No. 130) recommending that S.B. No. 1951, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 130 and

S.B. No. 1951, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1581, S.D. 2, presented a report (Conf. Com. Rep. No. 131) recommending that S.B. No. 1581, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 131 and S.B. No. 1581, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1082, S.D. 1, presented a report (Conf. Com. Rep. No. 132) recommending that S.B. No. 1082, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 132 and S.B. No. 1082, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1640, H.D. 1, presented a report (Conf. Com. Rep. No. 133) recommending that H.B. No. 1640, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 133 and H.B. No. 1640, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1646, presented a report (Conf. Com. Rep. No. 134) recommending that H.B. No. 1646, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 134 and H.B. No. 1646, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1840, H.D. 1, presented a report (Conf. Com. Rep. No. 135) recommending that H.B. No. 1840, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 135 and H.B. No. 1840, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," was deferred for a period of 48 hours.

Senator Chun Oakland, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1721, H.D. 2, presented a report (Conf. Com. Rep. No. 136) recommending that H.B. No. 1721, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 136 and H.B. No. 1721, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 258, presented a report (Conf. Com. Rep. No. 137) recommending that H.B. No. 258, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 137 and H.B. No. 258, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," was deferred for a period of 48 hours.

Senator Kanno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 139, H.D. 2, presented a report (Conf. Com. Rep. No. 138) recommending that H.B. No. 139, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 138 and H.B. No. 139, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1838, H.D. 2, presented a report (Conf. Com. Rep. No. 139) recommending that H.B. No. 1838, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139 and H.B. No. 1838, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 122, H.D. 1, presented a report (Conf. Com. Rep. No. 140) recommending that H.B. No. 122, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140 and H.B. No. 122, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 167, H.D. 2, presented a report (Conf. Com. Rep. No. 141) recommending that H.B. No. 167, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141 and H.B. No. 167, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1984, presented a report (Conf. Com. Rep. No. 142) recommending that H.B. No. 1984, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142 and H.B. No. 1984, S.D. 2, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO DRUG ABUSE," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1829, H.D. 3, presented a report (Conf. Com. Rep. No. 143) recommending that H.B. No. 1829, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143 and H.B. No. 1829, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," was deferred for a period of 48 hours.

Senator Tam, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1831, H.D. 1, presented a report (Conf. Com. Rep. No. 144) recommending that H.B. No. 1831, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144 and H.B. No. 1831, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1843, H.D. 2, presented a report (Conf. Com. Rep. No. 145) recommending that H.B. No. 1843, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145 and H.B. No. 1843, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," was deferred for a period of 48 hours.

Senator Metcalf, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1250, H.D. 3, presented a report (Conf. Com. Rep. No. 146) recommending that H.B. No. 1250, H.D. 3, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146 and H.B. No. 1250, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," was deferred for a period of 48 hours.

Senator Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1701, H.D. 2, presented a report (Conf. Com. Rep. No. 147) recommending that H.B. No. 1701, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147 and H.B. No. 1701, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1591, H.D. 2, presented a report (Conf. Com. Rep. No. 148) recommending that H.B. No. 1591, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148 and H.B. No. 1591, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE

CLEARINGHOUSE FOR MISSING CHILDREN," was deferred for a period of 48 hours.

Senator Aki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1688, H.D. 1, presented a report (Conf. Com. Rep. No. 149) recommending that H.B. No. 1688, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149 and H.B. No. 1688, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," was deferred for a period of 48 hours.

Senator M. Ige, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 143, H.D. 2, presented a report (Conf. Com. Rep. No. 150) recommending that H.B. No. 143, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150 and H.B. No. 143, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 108, H.D. 2, presented a report (Conf. Com. Rep. No. 151) recommending that H.B. No. 108, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 151 and H.B. No. 108, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1613, presented a report (Conf. Com. Rep. No. 152) recommending that H.B. No. 1613, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 152 and H.B. No. 1613, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1582, H.D. 2, presented a report (Conf. Com. Rep. No. 153) recommending that H.B. No. 1582, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 153 and H.B. No. 1582, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1188, H.D. 1, presented a report (Conf. Com. Rep. No. 154) recommending that H.B. No. 1188, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 154 and

H.B. No. 1188, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," was deferred for a period of 48 hours.

Senator Matsunaga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 140, H.D. 2, presented a report (Conf. Com. Rep. No. 155) recommending that H.B. No. 140, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 155 and H.B. No. 140, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1393, H.D. 1, presented a report (Conf. Com. Rep. No. 156) recommending that H.B. No. 1393, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 156 and H.B. No. 1393, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1539, presented a report (Conf. Com. Rep. No. 157) recommending that H.B. No. 1539, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 157 and H.B. No. 1539, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," was deferred for a period of 48 hours.

Senator Chumbley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1587, H.D. 1, presented a report (Conf. Com. Rep. No. 158) recommending that H.B. No. 1587, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 158 and H.B. No. 1587, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 472, presented a report (Conf. Com. Rep. No. 159) recommending that H.B. No. 472, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 159 and H.B. No. 472, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 350, H.D. 1, presented a report (Conf. Com. Rep. No. 160) recommending that H.B. No. 350, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 160 and H.B. No. 350, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE STATE BUDGET," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1390, H.D. 1, presented a report (Conf. Com. Rep. No. 161) recommending that H.B. No. 1390, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 161 and H.B. No. 1390, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2060, H.D. 1, presented a report (Conf. Com. Rep. No. 162) recommending that H.B. No. 2060, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 162 and H.B. No. 2060, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2019, H.D. 1, presented a report (Conf. Com. Rep. No. 163) recommending that H.B. No. 2019, H.D. 1, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 163 and H.B. No. 2019, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1292, H.D. 1, presented a report (Conf. Com. Rep. No. 164) recommending that H.B. No. 1292, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 164 and H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1837, H.D. 2, presented a report (Conf. Com. Rep. No. 165) recommending that H.B. No. 1837, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 165 and H.B. No. 1837, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred for a period of 48 hours.

Senator Levin, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1243, H.D. 1, presented a report (Conf. Com. Rep. No. 166) recommending that H.B. No. 1243, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 166 and H.B. No. 1243, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was deferred for a period of 48 hours.

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 1798, presented a report (Conf. Com. Rep. No. 167) together with H.B. No. 1798, S.D. 1, as amended in C.D. 1, for passage on Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 167 and H.B. No. 1798, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1837) recommending that the Senate advise and consent to the nominations of LORRAINE GODOY, GERALD J. MCKENNA, M.D., ANNETTE YAMAGUCHI, THELMA C. NIP and DOMINIC K. INOCELDA to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1837 and Gov. Msg. No. 293 was deferred until Tuesday, April 29, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1838) recommending that the Senate advise and consent to the nomination of STEVEN HOSAKA to the Radiologic Technology Board, in accordance with Gov. Msg. No. 317.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1838 and Gov. Msg. No. 317 was deferred until Tuesday, April 29, 1997.

Senators Levin and Metcalf, for the Committee on Health and Environment, presented a report (Stand. Com. Rep. No. 1839) recommending that the Senate advise and consent to the nominations of the following:

SUSAN B. HUNT, VIVIAN HO, NOELLA J. KONG, CLIFTON K. TSUJI, TIMOTHY E. JOHNS, JOHN S. KAOPUA, LEONARD A. RAPOZO SR., EDWIN S. OHTA, SABRINA R. TOMA, HIDEO MATSUSHITA, RANDOLPH P. PERREIRA, MERLE A. RYLAND and PETER C. LEWIS to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 299;

MARK TAYLOR, SCOTT EDWARD O'BRIEN, DONN TAKAKI and DEBORAH K. MORIKAWA to the Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 300;

LENORA L. LORENZO, CREIGHTON LIU and PATRICIA ST. JOHN-PAYNE to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 301;

BETTE LARRABEE, AIRLEEN LUCERO and JOAN LEE MARS to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 302;

HANS TAALA, JEROME O. MANNING, CAROL ODO and CLAUDINE MIKI TOMASA, R.N., to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 303;

RENEE KUSANO, LITO ASUNCION, PATRICK E. LINTON and WAYNE C. SHIROTA to the Hawai'i County Subarea Health Planning Council, in accordance with Gov. Msg. No. 304;



LEONARD A. RAPOZO SR. and ELEANOR R. RAGASA to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 305; and

HERBERT A.K. CAMPOS and (HELEN) JEANNE KENLON to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 306.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1839 and Gov. Msg. No. 299, 300, 301, 302, 303, 304, 305 and 306 was deferred until Tuesday, April 29, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1840) recommending that the Senate advise and consent to the nominations of BARBARA FISCHLOWITZ-LEONG, GARY L. SMITH, MARVIN F. POYZER, HEATHER PROUD, SHARON SHORE and LORI G. ODELL to the Statewide Independent Living Council, in accordance with Gov. Msg. No. 308.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1840 and Gov. Msg. No. 308 was deferred until Tuesday, April 29, 1997.

Senators Baker and D. Ige, for the Committee on Commerce, Consumer Protection, and Information Technology, presented a report (Stand. Com. Rep. No. 1841) recommending that the Senate advise and consent to the nominations of the following:

STEVEN J.T. CHOW to the State Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 290;

MELVIN S. KURAOKA, WALLACE T. OKI and GARY T. OURA to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, in accordance with Gov. Msg. No. 294;

CULLEN T. HAYASHIDA, Ph.D., and THOMAS B. GROLLMAN, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 311;

LAURA Y. CHOCK to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 313;

JON F. HARRELL, D.O. and RUDY BRIONES to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 314;

ANDREW C. NOWINSKI to the Pest Control Board, in accordance with Gov. Msg. No. 315; and

VALERIE M.K. MATSUNAGA, Pharm. D. and TERRI-ANN LEONG, Pharm. D., to the Board of Pharmacy, in accordance with Gov. Msg. No. 316.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1841 and Gov. Msg. Nos. 290, 294, 311, 313, 314, 315 and 316 was deferred until Tuesday, April 29, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1842) recommending that the Senate advise and consent to the nominations of EDITH C. PASCUA and JUDITH A. YOUNG to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 256

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1842 and Gov. Msg. No. 256 was deferred until Tuesday, April 29, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1843) recommending that the Senate advise and consent to the nominations of KELVIN

DANG and RANDALL A. MEDEIROS to the State Highway Safety Council, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1843 and Gov. Msg. No. 307 was deferred until Tuesday, April 29, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1844) recommending that the Senate advise and consent to the nominations of ROBERT L. MONTAGUE, TAI SOON LEE and ED MINA to the Advisory Board on Veterans Services, in accordance with Gov. Msg. No. 319.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1844 and Gov. Msg. No. 319 was deferred until Tuesday, April 29, 1997.

Senators Kawamoto and Sakamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1845) recommending that H.C.R. No. 48, H.D. 1, be adopted.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the report of the Committee was adopted and H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT LEGISLATION PERMITTING THE IMMIGRATION OF THE CHILDREN OF FILIPINO VETERANS OF WORLD WAR II TO THE UNITED STATES WITHOUT LIMIT AS TO NUMBER AND WITHOUT THE REQUIREMENT OF FINANCIAL SPONSORSHIP," was adopted.

Senators Kawamoto and Sakamoto, jointly with Senators Chun Oakland and Kanno, for the Committee on Transportation and Intergovernmental Affairs and the Committee on Human Resources, presented a joint report (Stand. Com. Rep. No. 1846) recommending that H.C.R. No. 174 be adopted.

On motion by Senator McCartney, seconded by Senator Anderson and carried, the joint report of the Committees was adopted and H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND SUPPORT LEGISLATION AND THE PRESIDENT OF THE UNITED STATES TO ISSUE AN EXECUTIVE ORDER TO ASSIST AMERASIAN CHILDREN OF UNITED STATES SERVICEMEMBERS IN THE PHILIPPINES," was adopted.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1847) recommending that the Senate advise and consent to the nomination of BOB T. KITA to the Civil Service Commission, in accordance with Gov. Msg. No. 145.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1847 and Gov. Msg. No. 145 was deferred until Tuesday, April 29, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1848) recommending that the Senate advise and consent to the nomination of TOBIAS (TOBY) M.L. MARTYN to the Board of Trustees, Employees' Retirement System, in accordance with Gov. Msg. No. 189.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1848 and Gov. Msg. No. 189 was deferred until Tuesday, April 29, 1997.

Senators Chun Oakland and Kanno, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1849) recommending that the Senate advise and consent to the nominations of RALSTON H. NAGATA and GEORGE M.

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YASUMOTO to the Board of Trustees, Deferred Compensation Plan, in accordance with Gov. Msg. No. 196.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 1849 and Gov. Msg. No. 196 was deferred until Tuesday, April 29, 1997.

**ADJOURNMENT**

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 29, 1997.

## SIXTIETH DAY

Tuesday, April 29, 1997

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 11:53 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Donna Faith Eldredge, Executive Director, Hawaii Council of Churches, after which the Roll was called showing all Senators present.

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

## MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 333, dated April 28, 1997, transmitting the "Hawaii State Airports Cultural Master Plan, Summary Report," prepared by the Hawaii Airports Cultural Development Committee and the University of Hawaii School of Architecture for the Department of Transportation, Airports Division, pursuant to Act 218, Section 17, SLH 1995, was read by the Clerk and was placed on file.

## CONFERENCE COMMITTEE REPORTS

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 171, S.D. 1, presented a report (Conf. Com. Rep. No. 168) recommending that S.C.R. No. 171, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Adoption.

On motion by Senator McCartney, seconded by Senator Slom and carried, Conf. Com. Rep. No. 168 was adopted and S.C.R. No. 171, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII STATE LIBRARY SYSTEM," was Finally Adopted.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 182, S.D. 1, presented a report (Conf. Com. Rep. No. 169) recommending that S.C.R. No. 182, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Adoption.

On motion by Senator McCartney, seconded by Senator Slom and carried, Conf. Com. Rep. No. 169 was adopted and S.C.R. No. 182, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO REVIEW ITS POLICY FOR WORKING WITH HAWAII'S DEAF, HARD-OF-HEARING, AND DEAF-BLIND COMMUNITY," was Finally Adopted.

Senator Tam, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S.C.R. No. 270, S.D. 1, presented a report (Conf. Com. Rep. No. 170) recommending that S.C.R. No. 270, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Adoption.

On motion by Senator McCartney, seconded by Senator Slom and carried, Conf. Com. Rep. No. 170 was adopted and S.C.R. No. 270, S.D. 1, H.D. 1, C.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE DEPARTMENT OF EDUCATION," was Finally Adopted.

## ORDER OF THE DAY

## AGREE/DISAGREE

MATTER DEFERRED FROM  
FRIDAY, APRIL 25, 1997

S.C.R. No. 198, H.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 198 and S.C.R. No. 198, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ON THE SUBJECT OF JUDICIAL TAXATION," was returned to the Clerk's desk and placed on file.

## ADVISE AND CONSENT

Stand. Com. Rep. No. 1780 (Gov. Msg. No. 310):

Senator Aki moved that Stand. Com. Rep. No. 1780 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the Hawai'i Library Advisory Commission of the following:

ELAINE H. KOMO, term to expire June 30, 2000; and

VIRGINIA L. MOORE term to expire June 30, 2001,

seconded by Senator Tam.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1781 (Gov. Msg. No. 292):

Senator Aki moved that Stand. Com. Rep. No. 1781 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of EUNICE M. DEMELLO to the State Foundation on Culture and the Arts, term to expire June 30, 2001, seconded by Senator Tam.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1782 (Gov. Msg. No. 295):

Senator Aki moved that Stand. Com. Rep. No. 1782 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of BENJAMIN T. TORIGOE to the Hawai'i Historic Places Review Board, term to expire June 30, 2001, seconded by Senator Tam.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1783 (Gov. Msg. No. 309):

Senator Aki moved that Stand. Com. Rep. No. 1783 be received and placed on file, seconded by Senator Tam and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

LUCY M. AKAU, GEORGE W.H. KANIHO, JOELENE K. LONO, CAROLEE K.K. ARICAYOS and CANDACE K. LEE, terms to expire June 30, 1999;

LANE KAAIAI, ANTOINETTE L. LEE and MARY ANN HUTCHINSON, terms to expire June 30, 2000; and

SHERRY K. EVANS and ABIGAIL K. ROSA, terms to expire June 30, 2001,

seconded by Senator Tam.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1829 (Gov. Msg. No. 296):

Senator Chumbley moved that Stand. Com. Rep. No. 1829 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that the Senate advise and consent to the nomination of LANI RAE SUIISO GARCIA to the Hawai'i Paroling Authority, term to expire June 30, 2000, seconded by Senator Matsunaga.

Senator Solomon rose and said:

"Mr. President, I have some remarks which I would like to submit for the Journal, and this is on Gov. Msg. No. 296 -- the nominee to the Hawaii Paroling Authority, Lani Rae Suiso Garcia. These are remarks in support of the nominee. I know that she's very capable and will do a wonderful job."

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

"Lani Rae Suiso Garcia has been appointed based upon her professional credentials, integrity, and a desire to make Hawaii better through her participation on the Hawaii Paroling Authority.

"Testimony in support of the nominee indicates that Ms. Garcia's expertise in criminal law as well as her understanding of community issues will serve her well during her tenure as a member of the Hawaii Paroling Authority.

"Ms. Garcia adequately responded to the committee's inquiries about her view on current legislative issues related to crime as well as her role on the Hawaii Paroling Authority. After full consideration of her background, character, experience, and qualifications, I recommend that the Senate advise and consent to the nomination."

Senator Chumbley then said:

"Mr. President, I also have remarks to be inserted in the Journal for Gov. Msg. No. 296 for Lani Garcia, in support of this nomination. Thank you."

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

"Lani Rae Suiso Garcia holds Bachelor's and Master's degrees of Education from the University of Manoa and a J.D. from the William S. Richardson School of Law. Ms. Garcia's professional experience includes serving as a former Assistant Federal Public Defender and currently as a partner in a criminal defense firm. Ms. Garcia is also active in various professional and community organizations.

"Testimony in support of the nominee was submitted by the Dean of the William S. Richardson School of Law, the Office of the Public Defender, Catholic Charities of the Diocese of Honolulu, four members of the legal profession, and a private citizen. Testimony in support of the nominee indicates that Ms. Garcia's expertise in criminal law, as well as her understanding of community issues, will serve her well during her tenure as a member of the Hawaii Paroling Authority."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1830 (Gov. Msg. Nos. 289, 297 and 298):

Senator Tanaka moved that Stand. Com. Rep. No. 1830 be received and placed on file, seconded by Senator Taniguchi and carried.

Senator Tanaka then moved that the Senate advise and consent to the nominations of the following:

SUMNER PARDEE ERDMAN to the Board of Agriculture, term to expire June 30, 2001 (Gov. Msg. No. 289);

ROSE CRUZ CHURMA, PAUL Y. CHINEN and AUDREY E.J. NG to the Board of Directors, Hawai'i Strategic Development Corporation, terms to expire June 30, 2001 (Gov. Msg. No. 297);

SAM SHENKUS and LETICIA T. GAOING to the Hawai'i Tourism Marketing Council, terms to expire June 30, 1999 (Gov. Msg. No. 298); and

HIDEAKI IMURA, LESTER W.B. MOORE and ROSS WILSON JR., to the Hawai'i Tourism Marketing Council, terms to expire June 30, 2001 (Gov. Msg. No. 298),

seconded by Senator Taniguchi.

Senator Solomon then rose and said:

"Mr. President, I will be submitting remarks in support of Gov. Msg. No. 289, also in support, Mr. President."

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

"Sumner Pardee Erdman is a volunteer, willing to serve without compensation, and will work with compassion and commitment to assist in administering the various functions of the Board of Agriculture. Mr. Erdman has been appointed based upon his professional credentials, integrity, and a desire to make Hawaii better through his participation on the Board of Agriculture.

"Mr. Erdman is currently president of both Ulupalakua Ranch and White Deer Ranch, a division of Ulupalakua Ranch located in Princeville, Oregon. A graduate of the University of Puget Sound, Mr. Erdman has been president of the Maui Cattlemen's Association, president and vice-president of the Hawaii Cattlemen's Council, and was a founding director of North American Elk Breeders Association.

"After full consideration of the background, character, experience, and qualifications of Mr. Erdman, I recommend that the Senate advise and consent to his nomination."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1831 (Gov. Msg. No. 251):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1831 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Fernandes Salling then moved that the Senate advise and consent to the nomination of RICKI K. TAMANAHA to the Board of Taxation Review, Second Taxation District (Maui County), term to expire June 30, 2001, seconded by Senator Fukunaga.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1832 (Gov. Msg. No. 252):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1832 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Fernandes Salling then moved that the Senate advise and consent to the nomination of ALVIN WAKAYAMA to the Board of Taxation Review, Third Taxation District (Hawai'i), term to expire June 30, 2001, seconded by Senator Fukunaga.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1833 (Gov. Msg. No. 253):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1833 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Fernandes Salling then moved that the Senate advise and consent to the nominations to the Board of Taxation Review, Fourth Taxation District (Kauai) of the following:

GEORGE M. MENOR, terms to expire June 30, 1997 and June 30, 2001; and

EDUARDO TOPENIO, JR., term to expire June 30, 2001,

seconded by Senator Fukunaga.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1834 (Gov. Msg. No. 318):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1834 be received and placed on file, seconded by Senator Fukunaga and carried.

Senator Fernandes Salling then moved that the Senate advise and consent to the nomination of AMOR B. NINO to the Board of Taxation Review, First Taxation District (Oahu), term to expire June 30, 2001, seconded by Senator Fukunaga.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1835 (Gov. Msg. No. 291):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1835 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of GEORGE NIITANI to the Civil Service Commission, term to expire June 30, 2001, seconded by Senator Kanno.

Senator McCartney rose and stated:

"Mr. President, I'd like to insert some remarks into the Journal in support of Gov. Msg. No. 291, George Niitani, Civil Service Commission."

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

"It is my pleasure to insert these remarks into the Senate Journal on behalf of George Niitani, the governor's nominee to the Civil Service Commission. He was an outstanding public servant with the Department of Land and Natural Resources. As a former leader of the HGEA, George has a long history of representing the employees in the public sector. In his retirement I know he is very dedicated and committed to the work of the Civil Service Commission and think he is an excellent choice for the job. I wholeheartedly support his nomination."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1837 (Gov. Msg. No. 293):

Senator Levin moved that Stand. Com. Rep. No. 1837 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of LORRAINE GODOY, GERALD J. MCKENNA, M.D., ANNETTE YAMAGUCHI, THELMA C. NIP and DOMINIC K. INOCELDA to the Hawai'i Advisory Commission on Drug Abuse and Controlled Substances, terms to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1838 (Gov. Msg. No. 317):

Senator Levin moved that Stand. Com. Rep. No. 1838 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nomination of STEVEN HOSAKA to the Radiologic Technology Board, term to expire June 30, 2001, seconded by Senator Metcalf.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1839 (Gov. Msg. Nos. 299, 300, 301, 302, 303, 304, 305 and 306):

Senator Levin moved that Stand. Com. Rep. No. 1839 be received and placed on file, seconded by Senator Metcalf and carried.

Senator Levin then moved that the Senate advise and consent to the nominations of the following:

SUSAN B. HUNT and VIVIAN HO to the Statewide Health Coordinating Council, terms to expire June 30, 1999 (Gov. Msg. No. 299);

NOELLA J. KONG to the Statewide Health Coordinating Council, term to expire June 30, 2000 (Gov. Msg. No. 299);

CLIFTON K. TSUJI, TIMOTHY E. JOHNS, JOHN S. KAOPUA, LEONARD A. RAPOZO SR., EDWIN S. OHTA, SABRINA R. TOMA, HIDEO MATSUSHITA, RANDOLPH P. PERREIRA, MERLE A. RYLAND and PETER C. LEWIS to the Statewide Health Coordinating Council, terms to expire June 30, 2001 (Gov. Msg. No. 299);

MARK TAYLOR to the Honolulu Subarea Health Planning Council, term to expire June 30, 2000 (Gov. Msg. No. 300);

SCOTT EDWARD O'BRIEN, DONN TAKAKI and DEBORAH K. MORIKAWA to the Honolulu Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 300);

LENORA L. LORENZO, CREIGHTON LIU and PATRICIA ST. JOHN-PAYNE to the Central Oahu Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 301);

BETTE LARRABEE, AIRLEEN LUCERO and JOAN LEE MARS to the Waianae Coast Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 302);

HANS TAALA to the Windward Oahu Subarea Health Planning Council, term to expire June 30, 1999 (Gov. Msg. No. 303);

JEROME O. MANNING, CAROL ODO and CLAUDINE MIKI TOMASA, R.N., to the Windward Oahu Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 303);

RENEE KUSANO, LITO ASUNCION, PATRICK E. LINTON and WAYNE C. SHIROTA to the Hawai'i County Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 304);

LEONARD A. RAPOZO SR. and ELEANOR R. RAGASA to the Kauai County Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 305); and

HERBERT A.K. CAMPOS and (HELEN) JEANNE KENLON to the Maui County Subarea Health Planning Council, terms to expire June 30, 2001 (Gov. Msg. No. 306);

seconded by Senator Metcalf.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1840 (Gov. Msg. No. 308):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1840 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland moved that the Senate advise and consent to the nominations to the Statewide Independent Living Council of the following:

BARBARA FISCHLOWITZ-LEONG, terms to expire June 30, 1997 and June 30, 2000; and

MARVIN F. POYZER, HEATHER PROUD, SHARON SHORE and LORI G. ODELL, terms to expire June 30, 1999,

seconded by Senator Kanno.

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

Ayes, 25. Noes, none.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of GARY L. SMITH to the Statewide Independent Living Council, terms to expire June 30, 1997 and June 30, 2000, seconded by Senator Kanno.

Senator Anderson rose in opposition to the nominee and stated:

"Mr. President, I'd like to speak in opposition to Gov. Msg. No. 308, gubernatorial nominee Gary L. Smith.

"I personally do not know the nominee but I was in the committee. We received testimony in opposition by two people. We then deferred this and on about the third day we received a lot of papers in favor of the nominee. However, the opposition that was given was because the person did not have the compassion for the position of the Independent Living Council. He did not understand fully, evidently, the needs of these people that he would be serving. The people that sent in all of the recommendations on his behalf were from that particular council and it was on his administrative ability. I don't think that's what we were looking at. When you're dealing with people you have to be compassionate, understand their needs, and consequently I don't believe that was the case with Mr. Smith's nomination. So I am voting 'no' for that particular nominee.

"Thank you, Mr. President."

Senator Solomon also rose in opposition and said:

"Mr. President, I also will be voting 'no' on the same person as mentioned by the previous speaker, Gary L. Smith, in Gov. Msg. No. 308."

Senator Tam then rose and stated:

"Mr. President, please register a 'no' vote for me on Gary Smith, also, for the same reasons."

Senator Tanaka then said:

"Mr. President, could you cast a 'no' vote for me also."

Senator Slom also stated:

"Mr. President, cast a 'no' vote for me, please."

Senator Sakamoto rose in opposition and said:

"Mr. President, similarly, I also sit on the committee and in reviewing nominees, I think there are many opportunities for these people to serve, but on this type of council I think people need to work together and I would prefer a nominee who would be more harmonious in that cooperative spirit, Mr. President. So I vote 'no,' as well."

Senator Kawamoto noted:

"'No' vote, also, Mr. President."

Senator Bunda rose and stated:

"A 'no' vote also."

Senator Iwase remarked:

"A 'no' vote. Thank you."

Senator Aki added:

"Mr. President, cast a 'no' vote for me also."

Senator M. Ige then said:

"Mr. President, I haven't voted 'no' on a ... well it's my second 'no' vote on a nominee, but could the words of Senator Sakamoto be inserted into the Journal as though they were my own. Thank you."

The Chair so ordered.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

Senator Chumbley stated:

"Mr. President, please cast a 'no' vote for me on the nominee Gary Smith."

Senator Fernandes Salling added:

"Also, Mr. President, a 'no' vote on the nominee Gary Smith."

The motion was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 12. Noes, 13 (Aki, Anderson, Bunda, Chumbley, Fernandes Salling, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka)

Stand. Com. Rep. No. 1841 (Gov. Msg. Nos. 290, 294, 311, 313, 314, 315 and 316):

Senator Baker moved that Stand. Com. Rep. No. 1841 be received and placed on file, seconded by Senator D. Ige and carried.

Senator Baker then moved that the Senate advise and consent to the nominations of the following:

STEVEN J.T. CHOW to the State Board of Chiropractic Examiners, term to expire June 30, 2001 (Gov. Msg. No. 290);

MELVIN S. KURAOKA, WALLACE T. OKI and GARY T. OURA to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects, terms to expire June 30, 2001 (Gov. Msg. No. 294);

CULLEN T. HAYASHIDA, Ph.D., to the Board of Medical Examiners, term to expire June 30, 1998 (Gov. Msg. No. 311);

THOMAS B. GROLLMAN, M.D., to the Board of Medical Examiners, term to expire June 30, 2001 (Gov. Msg. No. 311);

LAURA Y. CHOCK to the Board of Examiners in Optometry, term to expire June 30, 2001 (Gov. Msg. No. 313);

JON F. HARRELL, D.O. and RUDY BRIONES to the Board of Osteopathic Examiners, terms to expire June 30, 2001 (Gov. Msg. No. 314);

ANDREW C. NOWINSKI to the Pest Control Board, term to expire June 30, 2001 (Gov. Msg. No. 315); and

VALERIE M.K. MATSUNAGA, Pharm. D. and TERRI-ANN LEONG, Pharm. D., to the Board of Pharmacy, terms to expire June 30, 2001 (Gov. Msg. No. 316);

seconded by Senator D. Ige.

Senator Baker rose in support of the nominees as follows:

"Mr. President, on behalf of your Committee on Commerce, Consumer Protection, and Information Technology, I have some remarks in support of Stand. Com. Rep. No. 1841 and all the nominees listed therein."

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

"Mr. President, I rise to speak in favor of these nominations.

"Mr. President and colleagues, your Committee on Commerce, Consumer Protection and Information Technology diligently questioned the candidates and found them to be qualified to fulfill the responsibilities of their respective board duties. While each candidate brings a wealth of education, experience and skills to their respective positions, your committee was most impressed with their commitment and dedication to public service.

"In making its recommendations, Mr. President, your committee was mindful of the importance the various boards and commissions have with regard to ensuring that licensed professionals are practicing their vocations with the highest standard of integrity and that consumers in the marketplace are well protected. We are confident that the candidates before us will make a positive contribution to the board or commission they seek.

"On behalf of Co-chair Senator David Ige and myself, we strongly recommend confirmation of:

Steven J.T. Chow to the State Board of Chiropractic Examiners;  
Melvin S. Kuraoka, Wallace T. Oki and Gary T. Oura to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects;  
Cullen T. Hayashida and Thomas B. Grollman to the Board of Medication Examiners;  
Laura Chock to the Board of Examiners in Optometry;  
Rudy Briones and Jon F. Harrell to the Board of Osteopathic Examiners  
Andrew C. Nowinski to the Pest Control Board; and  
Terri-Ann Leong and Valerie M.K. Matsunaga to the Board of Pharmacy.

"Thank you, Mr. President."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1842 (Gov. Msg. No. 256):

Senator Kawamoto moved that Stand. Com. Rep. No. 1842 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations to the Civil Defense Advisory Council of the following:

EDITH C. PASCUA, term to expire June 30, 1998; and

JUDITH A. YOUNG, term to expire June 30, 2001,

seconded by Senator Sakamoto.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1843 (Gov. Msg. No. 307):

Senator Kawamoto moved that Stand. Com. Rep. No. 1843 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of KELVIN DANG and RANDALL A. MEDEIROS to the State Highway Safety Council, terms to expire June 30, 2001, seconded by Senator Sakamoto.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1844 (Gov. Msg. No. 319):

Senator Kawamoto moved that Stand. Com. Rep. No. 1844 be received and placed on file, seconded by Senator Sakamoto and carried.

Senator Kawamoto then moved that the Senate advise and consent to the nominations of ROBERT L. MONTAGUE, TAI SOON LEE and ED MINA to the Advisory Board on Veterans Services, terms to expire June 30, 2001, seconded by Senator Sakamoto.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1847 (Gov. Msg. No. 145):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1847 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of BOB T. KITA to the Civil Service Commission, term to expire June 30, 1999, seconded by Senator Kanno.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1848 (Gov. Msg. No. 189):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1848 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nomination of TOBIAS (TOBY) M.L. MARTYN to the Board of Trustees, Employees' Retirement System, term to expire January 1, 2003, seconded by Senator Kanno.

Senator McCartney rose and stated:

"Mr. President, I'd like to insert some remarks into the Journal in support of Gov. Msg. No. 189, Toby Martyn to the Employees' Retirement System."

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

"Mr. President, I rise to speak in support of Toby Martyn, governor's nominee to serve on the State of Hawaii Retirement System Board of Directors. Toby is a very competent person who has an excellent background in finances. His expertise in the financial and investment community will add value to the board of directors. I know he is committed to doing what's best for Hawaii public servants. I urge my colleagues to support his nomination."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1849 (Gov. Msg. No. 196):

Senator Chun Oakland moved that Stand. Com. Rep. No. 1849 be received and placed on file, seconded by Senator Kanno and carried.

Senator Chun Oakland then moved that the Senate advise and consent to the nominations of RALSTON H. NAGATA and GEORGE M. YASUMOTO to the Board of Trustees, Deferred Compensation Plan, terms to expire, June 30, 2001, seconded by Senator Kanno.

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

Ayes, 25. Noes, none.

#### FINAL READING

Conf. Com. Rep. No. 160 (H.B. No. 350, H.D. 1, S.D. 1, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 160 be adopted and H.B. No. 350, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom rose to speak against the bill as follows:

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

"I know that there were an awful lot of hours and hard work put into this bill, but unfortunately I'm looking at the budgets that every single mom, every family, and every small business owner has had to contend with. And unfortunately, Mr. President, this budget does not reflect the economic hardships that are faced by the people of Hawaii. It has some items in it that should not be here and we're generally faced with a situation of taking the lesser of several evils or taking the good along with the bad.

"But for those people who have already lost their jobs, people who have lost their homes to foreclosures and are going to, and those people who have lost their businesses to bankruptcies and are going to, I think we owe them a greater service and to provide a budget that is not going to take more of their income, more of their take-home pay. Unfortunately, Mr. President, despite the hard work, this budget would not provide any more income, no financial choices for our citizens, be they individuals or businesses. Therefore, I cast a 'no' vote.

"Thank you, Mr. President."

Senator Sakamoto supported the measure as follows:

"Mr. President, I rise supporting the measure but I feel I must express my concerns.

"We're clearly supporting the tourist industry -- appropriating \$26 million for marketing in fiscal 1997-98; \$24 million for 1998-99; plus \$10 million of emergency marketing



funds already appropriated. We're supporting the construction industry with the governor's \$1 billion CIP budget. We support the airline industry with the aircraft maintenance tax credit, hotel industry with the remodeling tax credit. We even have a tax credit for motion pictures and a tax credit for a non-existing stock exchange, but, Mr. President, where is the support for Hawaii's 29,000 small businesses? They are the life blood of our state's economy.

"In the original Senate budget, Senator Fernandes Salling presented a diversified economic stimulus tax package that would have supported many small businesses and improved our local business economy. This body supported that a few weeks ago, yet today small businesses are begging leadership for its support, continually communicating its needs to you. We offered them little relief, little support.

"Mr. President, leadership has said no, to requests for coordinated care; no, to the clear privatization message; no, to a major portion of the small business package. Leadership did not even deliver the job reference liability bill. That bill would have helped both employers and employees applying for jobs. And Mr. President, in this budget you're saying no ... you forgot them again.

"Thank you, Mr. President."

Senator Iwase rose to support the bill and stated:

"Mr. President, I'm rising to speak in support of the budget, but I would like to incorporate the comments of the Senator from Moanalua as if they were my own, and I would like to emphasize them very strongly.

"I am somewhat disappointed that a lot of the job measures are not supporting jobs and the creation of business has been deleted. I do know how hard, as the Senator from Moanalua pointed out, how hard the co-chair from Kauai sought to have a tax revenue enhancement package. It's not here.

"I think this is a budget that, at least, emphasizes education, but I think we leave short the emphasis that we need to have on job creation and on business and I would hope that leadership would pursue these next year.

"Thank you."

Senator Fukunaga rose in support of the measure and said:

"In response to some of the prior remarks, Mr. President, I believe the Ways and Means Committee very definitely wanted to provide as much relief to small businesses as we could. However, I would like to point out that among the measures we agreed to is S.B. No. 147, Relating to Taxation, in which we did address the pyramiding of leases.

"We also had a small business loan guaranty measure which we have agreed upon, and while we have not been able to pass as many of the tax exemptions as the Senator from Moanalua would like, it's important to note that we have held down the growth of government as much as possible -- such that general fund growth in this biennium budget is 0.7 percent.

"For all of those reasons, Mr. President, I would urge my colleagues to vote in support of this bill. Thank you."

Senator Solomon also supported the measure as follows:

"I am also rising, Mr. President, in support of the budget bill and I would like to incorporate both Senator's remarks, the Senators from Moanalua and Mililani, as though they were my own.

"Mr. President, I also would like to commend the co-chairwoman from Kauai for her courageous tax package that, in fact, would have helped to diversify our economy, would have

helped small business, and it's just unfortunate that the leadership in this State Senate could not see its way clear to maybe hold the line a little firmer to at least get our Senate positions more incorporated into the budget.

"Thank you very much."

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

"Mr. President, I would also like to speak in favor of H.B. No. 350.

"With regard to the budget area relating to human services, I do want to thank the co-chairs and members of the Ways and Means Committee, as well as the entire Legislature, for supporting the restoration of funds in the areas of general assistance, in particular, to the point of \$27 million per year. I would also like to point out that the funding for assistance to families with dependent children, as well as immigrants, are in the budget this year, and I very much appreciate that on behalf of our committee and the families that will be affected very positively.

"Thank you."

Senator Tam, also rising in support of the bill, then stated:

"Mr. President, I wish to speak in favor of H.B. No. 350, H.D. 1, S.D. 1, C.D. 1, relating to the state budget.

"Before speaking on H.B. No. 350, C.D. 1, I wish to thank my colleagues on the Senate Ways and Means Committee, especially the co-chairpersons. A special thanks goes to the staff of the Senate Ways and Means Committee staff for their dedication in the formation of a people's budget. Thank you for working 20 hours a day (I speak from experience).

"Mr. President, fellow colleagues, and the citizens of the State of Hawaii, I speak in favor of the state budget for public education. The education budget is a progressive and quality budget for Hawaii's public school students. Personally, as a parent of a public school student, I am pleased with this legislature's education budget. The budget maintains a firm education funding for classroom needs in a period of economic sluggish times and even adds more dollars to classroom needs. The highlights of the education budget are as follows:

1. It maintains the student-teacher ratio of 20 to 1 students in kindergarten to third grades.
2. \$2,500,000 additional dollars for instructional materials (textbooks, workbooks, computer programs, etc.).
3. Full funding for special education needs according to federal and state laws.
4. Full funding for full-time school registrar positions at all intermediate schools statewide, whereby \$296,322 for FY 1997-98 and \$355,524 for FY 1998-99.
5. \$35,000,000 in general funds and an additional \$17,000,000 in CIP (Capital Improvement Project) for school repair and maintenance.
6. Full-time Athletic Care Specialists (Athletic Trainers) in every public high school at a cost of \$296,322 for FY 1997-98 and \$355,524 for FY 1998-99.
7. Expansion of the Hawaiian Language Immersion Program for kindergarten to 12th grade. \$25,000 for FY 1997-98.
8. Additional \$25,000 for the statewide Annual Conference of Secondary School Students to include grades 7-12,

where students actively contribute to plans towards quality education.

"In closing, Mr. President and fellow colleagues, and for the record, I request Governor Cayetano to utilize the federal impact aid money, about \$20,000,000 to be given to the state of Hawaii in October 1997 to supplement the state general fund budgets for A+ and the After-School Remedial Program. In doing so, our public school students will not have to pay increased fees. The purpose of the federal impact aid money is to supplement the educational financial program needs that the State general fund budget is unable to. Thank you."

Senator Anderson rose to speak on the measure as follows:

"Mr. President, I have some reservations on this bill. I did have some on its first go-around. I stood up and told the rest of my colleagues that I was very proud to be a Senator and I thought that we were keeping in tune with the Council of Revenues. Since then we have gone way overboard, Mr. President, and it bothers me that not only are there increases but the increase in the CIP is even over and above what the governor originally intended. It's something in the tune of providing \$1.3 billion for fiscal year 1998, an increase of 76 percent over '97; a \$1.14 billion for fiscal year 1999, an increase of 52.1 percent.

"Now, I want to make sure that we help our businesses as much as anybody else, but I most certainly don't want to stand here as a Senator and a minority and give the governor the option to give whatever jobs he feels he should be giving or hold back what he wants to. If we're going to do this because next year is going to be an election year ... and he can call us irresponsible, because he would. He can go ahead and pass whatever he wants to and say I'm going to hold back because these people were irresponsible, passing out a budget that is exceeding what we can afford. And that's exactly what we've allowed him to do and we played the game.

"I also have concerns because we did not pass tax incentives for the businesses. Both Senator Slom and Senator Sakamoto are absolutely right. We did nothing for business. What happened to the 80 percent that businesses could write off if they took people out? We didn't pass that. But read your paper, ladies and gentlemen -- restaurants and businesses are going down the tube, and yet we sit here and we say, 'Well, we've done well. We gave the HVB \$10 million plus the other money that we're going to give them.' We give them money every year

"We did a great job because we gave money to diversified ag. We do that every year. Don't talk about what we do every year -- talk about what we're not doing. We're not cutting government. We're over-spending. We're taking special funds and using them. The teachers ... God, I want to give them a raise as much as anybody else, but then we do a payroll lag and they get to pay for some of their own raises that they're going to get.

"Why don't we look at this realistically and try to do the job that we're elected for. And if we're doing a bad job, hell, let them kick us out. But no, everybody is worried. They say, I have to get reelected so I can do a better job. You're not even doing the job that you're elected for, in the first place.

"Thank you very much, Mr. President. That's why I have some reservations."

Senator Tam rose again and stated:

"Mr. President and fellow colleagues, I failed to mention one other part in the budget which I'm very pleased to announce and that is \$250,000 for additional library books within our budget for each year. The reason I bring this up is because, remember we had this issue of the Baker & Taylor contract which, unfortunately, is causing us great pain throughout the

whole State of Hawaii and the public has spoken out that they wish to cancel this contract because it does not do any public service need, and therefore, what we have done is to give the Board of Education the option to cancel the contract. And in order to cover for the selection process to purchase additional library books, we included in each fiscal year, \$250,000. So now it's in the hands of the Board of Education to cancel the contract as their option.

"Thank you."

Senator McCartney supported the measure as follows:

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

"Mr. President, I'd just like to thank the two co-chairs for their hard work. It was a very challenging session -- a time when declining revenues are still facing us and many needs are on the table. If you look at the budget, I think they were faced with multiple needs and limited resources, and balancing the budget is a challenge, especially in conference. And I think that we realize that government can't be all things to all people and some tough decisions and tough choices need to be made.

"This budget reflects the reality of today's economy and is designed to stimulate it, and therefore, Mr. President, I support it.

"Thank you."

Senator Levin spoke in support of the bill and said:

"Mr. President, I would like to reiterate the comments made by the Majority Leader. I definitely share his sentiments and I rise in favor of the bill.

"In particular, I want to praise both the co-chairs and the staff. It wasn't very long ago, but perhaps we need to be reminded, that we were dropped a \$270 million bombshell. That was just a few weeks ago, and the staff and the co-chairs took on the task of balancing the budget in spite of that. They did the job calmly, efficiently. We have managed to fund the collective bargaining agreements, the other programs that are needed. We have managed to balance the budget within the parameters set forth for us, and it was a tremendous accomplishment. And I think they deserve a lot of credit and support.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 160 was adopted and H.B. No. 350, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

#### FINAL READING

#### MATTERS DEFERRED FROM FRIDAY, APRIL 25, 1996

S.B. No. 251, S.D. 1, H.D. 2:

On motion by Senator Levin, seconded by Senator Metcalf and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 251, S.D. 1, and S.B. No. 251, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 727, S.D. 2, H.D. 1:

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 727, S.D. 2, and S.B. No. 727, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 846, S.D. 1, H.D. 2:

On motion by Senator Levin, seconded by Senator Metcalf and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 846, S.D. 1, and S.B. No. 846, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

S.B. No. 1624, H.D. 2:

On motion by Senator Tam, seconded by Senator Aki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1624 and S.B. No. 1624, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (S.B. No. 135, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 135, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 52 (S.B. No. 512, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 52 was adopted and S.B. No. 512, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### FINAL READING

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

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 293, S.D. 1, and S.B. No. 293, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1064, S.D. 1, and S.B. No.

1064, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

On motion by Senator M. Ige, seconded by Senator Bunda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1464, S.D. 1, and S.B. No. 1464, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 3 (H.B. No. 1745, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 3 was adopted and H.B. No. 1745, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 4 (H.B. No. 1610, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 1610, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF THE UNITED STATES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 6 (H.B. No. 1965, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 1965, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARMFUL AQUATIC LIFE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 7 (H.B. No. 2, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 2, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 8 (H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 1660, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 11 (H.B. No. 1894, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 1894, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 12 (H.B. No. 1863, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 1863, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER AND BUSINESS EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 13 (H.B. No. 939, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 939, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 17 (H.B. No. 106, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 106, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTHFUL OFFENDERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 19 (H.B. No. 103, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 103, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 20 (H.B. No. 351, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 351, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 22 (H.B. No. 1309, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Bunda, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 1309, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 23 (H.B. No. 636, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 636, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 25 (H.B. No. 1105, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Tam, seconded by Senator Levin and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 1105, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 26 (H.B. No. 1819, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 1819, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 27 (H.B. No. 631, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 631, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE DECISIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 30 (H.B. No. 1713, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 1713, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 33 (H.B. No. 1012, S.D. 1, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1012, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 34 (H.B. No. 1841, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 1841, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 35 (H.B. No. 65, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 65, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 36 (H.B. No. 113, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 113, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 37 (H.B. No. 107, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 107, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 39 (H.B. No. 1287, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator M. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 1287, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 53 (S.B. No. 175, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 53 was adopted and S.B. No. 175, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (S.B. No. 373, H.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 373, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (S.B. No. 165, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 165, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (S.B. No. 1879, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 57 was adopted and S.B. No. 1879, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (S.B. No. 1619, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Kawamoto and carried, Conf. Com. Rep. No. 58 was adopted and S.B. No. 1619, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 59 (S.B. No. 377, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 377, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMPAIRED DRIVERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (S.B. No. 835, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 835, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS," having been read throughout,

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 61 (S.B. No. 1589, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 61 was adopted and S.B. No. 1589, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD DEATH REVIEW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (S.B. No. 426, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 62 was adopted and S.B. No. 426, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CULTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 64 (S.B. No. 1588, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 64 was adopted and S.B. No. 1588, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (S.B. No. 1197, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Kawamoto, seconded by Senator Sakamoto and carried, Conf. Com. Rep. No. 68 was adopted and S.B. No. 1197, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' LICENSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 70 (S.B. No. 633, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 70 was adopted and S.B. No. 633, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BED AND BREAKFAST OPERATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 71 (S.B. No. 647, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 647, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 72 (S.B. No. 718, H.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 718, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 73 (S.B. No. 986, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 986, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONCONSENSUAL COMMON LAW LIENS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 76 (S.B. No. 1267, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 76 was adopted and S.B. No. 1267, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 78 (S.B. No. 138, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 78 was adopted and S.B. No. 138, S.D. 1, H.D. 3, C.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 Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 79 (S.B. No. 141, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 79 was adopted and S.B. No. 141, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASE-PURCHASE AGREEMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 80 (S.B. No. 152, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 80 was adopted and S.B. No. 152, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 81 (S.B. No. 656, S.D. 1, H.D. 3, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 81 was adopted and S.B. No. 656, S.D. 1, H.D. 3, C.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 Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 82 (S.B. No. 1114, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 82 was adopted and S.B. No. 1114, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 83 (S.B. No. 1191, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 83 was adopted and S.B. No. 1191, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 84 (S.B. No. 1487, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 84 was adopted and S.B. No. 1487, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 85 (S.B. No. 1522, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 85 was adopted and S.B. No. 1522, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 86 (S.B. No. 1901, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 86 was adopted and S.B. No. 1901, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 90 (S.B. No. 252, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 90 was adopted and S.B. No. 252, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 91 (S.B. No. 1266, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 91 was adopted and S.B. No. 1266, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 92 (S.B. No. 1268, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 92 was adopted and S.B. No. 1268, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 93 (S.B. No. 1794, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 93 was adopted and S.B. No. 1794, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SANITATION PERMITS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 95 (S.B. No. 1535, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator D. Ige, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 95 was adopted and S.B. No. 1535, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 101 (H.B. No. 1370, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Iwase, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 101 was adopted and H.B. No. 1370, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC FOREST RESERVES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 103 (H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 103 was adopted and H.B. No. 1657, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 104 (H.B. No. 2234, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 104 was adopted and H.B. No. 2234, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 108 (H.B. No. 1023, S.D. 1, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 108 was adopted and H.B. No. 1023, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 109 (H.B. No. 1731, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 109 was adopted and H.B. No. 1731, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 110 (H.B. No. 120, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 110 was adopted and H.B. No. 120, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 124 (S.B. No. 1571, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 124 was adopted and S.B. No. 1571, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 126 (S.B. No. 1632, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator M. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 126 was adopted and S.B. No. 1632, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 127 (S.B. No. 37, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 127 was adopted and S.B. No. 37, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 129 (S.B. No. 58, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 129 was adopted and S.B. No. 58, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KINDERGARTENS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 130 (S.B. No. 1951, H.D. 2, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 130 was adopted and S.B. No. 1951, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 132 (S.B. No. 1082, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 132 was adopted and S.B. No. 1082, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 133 (H.B. No. 1640, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 133 was adopted and H.B. No. 1640, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 136 (H.B. No. 1721, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 136 was adopted and H.B. No. 1721, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 138 (H.B. No. 139, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Kanno, seconded by Senator Chun Oakland and carried, Conf. Com. Rep. No. 138 was adopted and H.B. No. 139, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 139 (H.B. No. 1838, H.D. 2, S.D. 1, C.D. 1):



On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 139 was adopted and H.B. No. 1838, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 144 (H.B. No. 1831, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 144 was adopted and H.B. No. 1831, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 145 (H.B. No. 1843, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 145 was adopted and H.B. No. 1843, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 146 (H.B. No. 1250, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 146 was adopted and H.B. No. 1250, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 154 (H.B. No. 1188, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 154 was adopted and H.B. No. 1188, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A SYMPOSIUM ON CRIME IN HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 155 (H.B. No. 140, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 155 was adopted and H.B. No. 140, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:09 o'clock p.m.

#### FINAL READING

Conf. Com. Rep. No. 14 (H.B. No. 2202, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Baker, seconded by Senator D. Ige and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 2202, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE COMPANIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 89 (S.B. No. 1683, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 89 was adopted and S.B. No. 1683, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAIIAN LANGUAGE COLLEGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 94 (S.B. No. 1032, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Baker, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 94 was adopted and S.B. No. 1032, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE AND FAMILY THERAPISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 98 (S.B. No. 717, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 98 was adopted and S.B. No. 717, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 105 (H.B. No. 1775, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 105 was adopted and H.B. No. 1775, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 112 (H.B. No. 1836, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 112 was adopted and H.B. No. 1836, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRINKING WATER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 113 (H.B. No. 2032, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Tam, seconded by Senator Aki and carried, Conf. Com. Rep. No. 113 was adopted and H.B. No. 2032, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-TO-WORK OPPORTUNITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 117 (H.B. No. 931, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 117 was adopted and H.B. No. 931, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 118 (H.B. No. 1690, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 118 was adopted and H.B. No. 1690, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE MAXIMIZATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 120 (H.B. No. 1804, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 120 was adopted and H.B. No. 1804, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIRS AND MAINTENANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 131 (S.B. No. 1581, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 131 was adopted and S.B. No. 1581, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 134 (H.B. No. 1646, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 134 was adopted and H.B. No. 1646, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 135 (H.B. No. 1840, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 135 was

adopted and H.B. No. 1840, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 137 (H.B. No. 258, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 137 and H.B. No. 258, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 140 (H.B. No. 122, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 140 was adopted and H.B. No. 122, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY INTERVENTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 141 (H.B. No. 167, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 141 was adopted and H.B. No. 167, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 142 (H.B. No. 1984, S.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 142 was adopted and H.B. No. 1984, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 148 (H.B. No. 1591, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 148 was adopted and H.B. No. 1591, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 151 (H.B. No. 108, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 151 was adopted and H.B. No. 108, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 152 (H.B. No. 1613, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 152 was adopted and H.B. No. 1613, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 159 (H.B. No. 472, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 159 was adopted and H.B. No. 472, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 161 (H.B. No. 1390, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 161 was adopted and H.B. No. 1390, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 162 (H.B. No. 2060, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 162 was adopted and H.B. No. 2060, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 163 (H.B. No. 2019, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 163 was adopted and H.B. No. 2019, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

Stand. Com. Rep. No. 1784 (H.B. No. 248, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1784 was adopted and H.B. No. 248, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1785 (H.B. No. 1658, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1785 was adopted and H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS EDUCATION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1786 (H.B. No. 1659):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1786 was adopted and H.B. No. 1659, 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, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 1787 (H.B. No. 1662):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1787 was adopted and H.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO THE STATE AQUARIUM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1788 (H.B. No. 1709, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1788 was adopted and H.B. No. 1709, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1789 (H.B. No. 2016, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1789 was adopted and H.B. No. 2016, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII-HILO THEATRE REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1790 (H.B. No. 787):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1790 was adopted and H.B. No. 787, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1791 (H.B. No. 1687):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1791 was adopted and H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FUNDS TRANSFERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1792 (H.B. No. 1855, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1792 was adopted and H.B. No. 1855, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLIANCE RESOLUTION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1793 (H.B. No. 1869, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1793 was adopted and H.B. No. 1869, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1794 (H.B. No. 1878, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1794 was adopted and H.B. No. 1878, H.D. 2, 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, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 1795 (H.B. No. 1895, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1795 was adopted and H.B. No. 1895, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1796 (H.B. No. 1896, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1796 was adopted and H.B. No. 1896, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1797 (H.B. No. 2110, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1797 was adopted and H.B. No. 2110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY EXEMPTIONS FROM REAL PROPERTY TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1798 (H.B. No. 1572, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1798 was adopted and H.B. No. 1572, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS,"

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

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

Stand. Com. Rep. No. 1799 (H.B. No. 1573):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1799 was adopted and H.B. No. 1573, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1800 (H.B. No. 1574):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1800 was adopted and H.B. No. 1574, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1801 (H.B. No. 1576):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1801 was adopted and H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1802 (H.B. No. 1581):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1802 was adopted and H.B. No. 1581, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1803 (H.B. No. 1696, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1803 was adopted and H.B. No. 1696, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1804 (H.B. No. 2214):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1804 was adopted and H.B. No. 2214, 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, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 1805 (H.B. No. 2238, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1805 was adopted and H.B. No. 2238, H.D. 2, 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, 24. Noes, none. Excused, 1 (Bunda).

Stand. Com. Rep. No. 1808 (H.B. No. 1615):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1808 was adopted and H.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO VACATION ALLOWANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1809 (H.B. No. 1617, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1809 was adopted and H.B. No. 1617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGGESTION AWARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1810 (H.B. No. 1620, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1810 was adopted and H.B. No. 1620, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1811 (H.B. No. 1719):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1811 was adopted and 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," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1812 (H.B. No. 1810):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1812 was adopted and H.B. No. 1810, 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 (Bunda).

Stand. Com. Rep. No. 1813 (H.B. No. 1812, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1813 was adopted and H.B. No. 1812, H.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 (Bunda).

Stand. Com. Rep. No. 1814 (H.B. No. 1381, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1814 was adopted and H.B. No. 1381, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEAL COURT FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1815 (H.B. No. 1631, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1815 was adopted and H.B. No. 1631, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1816 (H.B. No. 1634, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1816 was adopted and H.B. No. 1634, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1817 (H.B. No. 1036, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1817 was adopted and H.B. No. 1036, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1818 (H.B. No. 1104, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1818 was adopted and H.B. No. 1104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1819 (H.B. No. 1746):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1819 was adopted and H.B. No. 1746, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1820 (H.B. No. 1752, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1820 was adopted and H.B. No. 1752, H.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 (Bunda).

Stand. Com. Rep. No. 1821 (H.B. No. 1768, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1821 was adopted and H.B. No. 1768, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1822 (H.B. No. 1707):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1822 was adopted and H.B. No. 1707, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1823 (H.B. No. 1757, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1823 was adopted and H.B. No. 1757, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1824 (H.B. No. 264, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1824 was adopted and H.B. No. 264, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE WILCOX HEALTH SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1825 (H.B. No. 1753, H.D. 2):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1825 was adopted and H.B. No. 1753, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 1826 (H.B. No. 1712, H.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Stand. Com. Rep. No. 1826 was adopted and H.B. No. 1712, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1642:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1642, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC FILING OF TAX RETURNS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

H.B. No. 1643, H.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, H.B. No. 1643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENTS TO THE STATE BY ELECTRONIC FUNDS TRANSFER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 2:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:14 o'clock p.m.

#### FINAL READING

S.B. No. 26, H.D. 1:

Senator Tam moved that S.B. No. 26, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aki.

Senator Kawamoto rose to support the measure as follows:

"Mr. President, I'd like to rise in support of this bill.

"The purpose of this bill is to clarify the responsibility of parents and guardians for minors' compliance with the Student Code of Conduct adopted by the Board of Education. This bill also clarifies that destruction of school property by a student is reason to subject parents and guardians to proceedings under Chapter 302A, Hawaii Revised Statutes.

"The principals of the Leeward District would like to have this to administer their programs in their schools. So I urge all my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 26, H.D. 1, and S.B. No. 26, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Chumbley, Ige, D., Matsunaga). Excused, 1 (Taniguchi).

#### MATTER DEFERRED FROM FRIDAY, APRIL 18, 1997

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

Senator Chumbley moved that Conf. Com. Rep. No. 1 be adopted and H.B. No. 117, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Matsunaga supported the measure and said:

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

"Mr. President, this measure proposes an amendment to our constitution which would provide simply that 'The legislature

shall have the power to reserve marriage to opposite-sex couples.'

"Last session, a majority of this body opposed any constitutional amendment which addressed the issue of same gender marriage. This opposition was based on the belief that the provision of equal rights through the provision of domestic partnership status would moot the Supreme Court's ruling in *Baehr v. Lewin* and thereby retain marriage's opposite gender reservation while ensuring equal access to government benefits for all of Hawaii's citizens. The House of Representatives, on the other hand, sought to resolve the issue by simply barring same gender marriage in a way that we felt smacked of animus and potentially perverted our constitution.

"This year we have made a commitment to put to rest the public furor over this issue. In an effort to reach agreement with the House, we proposed a constitutional amendment to allow the voters of this state to decide the issue. However, as we began this process, we made three commitments in the framing of any amendment. These commitments were:

1. We would not permit our state's commitment to due process and equal protection to be conditioned or diminished;
2. We would not permit nontraditional couples to be deprived of substantial economic marital rights; and
3. We would not permit any hint of 'animus' in the language of our constitution.

"The measure we vote on today satisfies these commitments. Essentially, it accomplishes what we sought to achieve last year. That is, marriage licenses will be limited to opposite sex couples, but coupled with the passage of H.B. No. 118, C.D. 1, nontraditional couples will be provided access to substantially similar economic marital rights and benefits.

"Mr. President, I have additional remarks I would like inserted into the Journal. Thank you."

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

"Mr. President, the language of the amendment, as a legislative compromise, is necessarily somewhat ambiguous regarding impact and intent. But we have tried, in the purpose clause, to make certain that our intended effect is clear. That is, the only substantive expression of intent in the purpose clause is to address the issue of the issuance of marriage licenses. Our intent is to thus limit the scope of the amendment to the ministerial act of issuing licenses. Other constitutional rights regarding attendant rights and benefits are not to be affected.

"The language of the amendment raises an arguable conflict with our Constitution's Equal Protection Clause, as interpreted by our Supreme Court. The resolution of any such conflict will be left to the courts. As the latest expression on the subject, we expect that the express language of this amendment will control. However, we acknowledge that the courts are also bound by rules for the interpretation of statutes in *pari materia* (on the same subject) and that there may be an arguable hierarchy among constitutional provisions when conflicts arise. We do not, and cannot, pretend to have spoken definitively on such interpretation. It is the role and duty of the courts to interpret the constitution. And it is the right of prospective plaintiffs to frame these issues.

"These avenues for interpretation do not diminish the import of what we do today. The people of Hawaii will have an opportunity to definitively express their will on the issuance of marriage licenses. As legislators we are bound to acknowledge their power and abide by their will. We think that this amendment does so -- but does no harm to our commitment to equal rights in the process."

Senator Sakamoto rose in support of the measure and said:

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

"Mr. President, I support this because it gives the voters what they wanted and what they have been asking for, and yes, for years, to decide for themselves what marriage means in Hawaii. I support this bill because it gives voters a clean, clear choice on whether or not the Hawaii Constitution should be amended and because the bill is easily understandable for the voters and will be fair to all.

"Passage of this measure will empower the Legislature, who are the elected representatives of the people, to take action, and not appointed judges to decide who can get married.

"Finally, Mr. President, I support this bill because it hopefully brings closure to the long-standing controversy that has taken up so much time, closure that this body can finally come to, and hopefully can now focus on strengthening the job creation and our economy so that we can have a better Hawaii, Mr. President.

"Thank you. I'll be voting in favor."

Senator Kanno rose and stated:

"Mr. President, please register my 'aye' vote with reservations."

Senator Baker added:

"Likewise, Mr. President."

Senator Taniguchi then stated:

"Likewise for me, Mr. President."

Senator Chun Oakland spoke on the measure as follows:

"Mr. President, 'aye' with reservation, and I'd like to insert comments, as well."

The Chair having so ordered, Senator Chun Oakland's remarks are as follows:

"This measure will allow the people of this state to vote on a subject that has evoked strong emotions and raised many questions about human relationships. The bill authorizes the state to place on the ballot, in 1998, a constitutional question, that, if approved by the majority of voters who cast their votes, will allow the State Legislature to reserve marriage to two people of the opposite sex.

"If the constitutional question is approved, this change should in no way be viewed as prohibiting those churches from performing marriage ceremonies for same gender couples as they have done for many years. This is ensured in our nation's constitution respecting the separation of church and state.

"The issuance of marriage licenses which is within the purview of government is what in essence will be affected and the state's ability to perform civil marriage ceremonies. I, along with Representative Terrance Tom, attended every hearing and briefing held on the subject of same-sex marriage, three years ago, as members of the House Committee on Judiciary. We got to hear first hand, statewide, the supporters' and opponents' of same gender marriage views on the issue. I learned a lot from both sides and saw the extremes in people -- one of humanity, compassion and inner peace as well as the uglier side of mankind, full of conflict, hate and divisiveness. To those on both sides of the issue who spoke and demonstrated through acts of compassion and love, I thank you. To agree and disagree in a sensitive, civil and respectful manner helped the Legislature deliberate on this matter.

"I want to acknowledge and thank the co-chairs of the Committee on Judiciary and conference committee members for their time, sense of fairness, and compassion. I also want to thank their families for dealing with the immense pressure and often times insensitive and inhumane actions this issue has brought out in people. Your positive attitude and earnest efforts, I very much appreciate."

Senator Metcalf rose and said:

"Mr. President, I have written comments I ask to be inserted into the Journal in support of the measure."

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

"Mr. President, I rise to speak in favor of H.B. No. 117, H.D. 1, S.D. 1, C.D. 1.

"This measure, a proposed ballot question in the form of a constitutional amendment, along with H.B. No. 118, H.D. 1, S.D. 1, C.D. 1, that we earlier voted on, seeks to deal with issues flowing from the decision in *Baehr v. Lewin*. In this case the court has ruled that, absent a compelling state interest, same-sex couples cannot be denied the right to marry. Beyond the arguments and the passions expressed in the debate that has followed the court's decision, are fundamental questions regarding the effective parameters of the legislature and the courts to act.

"Most Hawaii citizens favor extending rights, benefits and burdens associated with marriage to same-sex couples. Yet it is clear they wish at this time to reserve to themselves the question of whether the legislature shall have the power to determine whether the rite of marriage shall be limited to opposite sex couples only.

"As Legislators, we have the responsibility to choose correctly irrespective of whether those choices flow with or contrary to the passions of the moment. This is an essential element of the public trust. At the same time, this responsibility cannot be translated into fiat to ignore that which manifestly reflects the public will. To act otherwise is to substitute autocracy for democracy. Far too much has been invested in our democracy to justify a lurch in that direction.

"The courts have a special and unique role in our system of government key among which is the principle that any citizen can be heard and have their case determined impartially independent of their popularity, wealth, power or status. The only criteria to be applied by the court, in determining cases and causes, are the law and principles which flow logically and equitably from the law.

"In drafting the proposed constitutional amendment, your Senate conferees have been mindful of the need to advance public discussion on this question. This approach has been taken in recognition of the constraints of what can be accomplished without weakening the legislature's position as that instrument of government designed specially to best reflect the public will. We also have been mindful that the courts not be foreclosed from exercising their special mandate to adjudicate the cases and causes of those who may otherwise not be counted among the popular majority.

"House Bill No. 117, H.D. 1, S.D. 1, C.D. 1, the proposed constitutional amendment, will allow for the discussion and expression of the public's voice with respect to whom a marriage license shall be issued. Former UN Secretary General Dag Hammarskjöld once observed that "everyone in his own eyes has a good case, and there must be some element in his case that must be regarded as right." It is in this spirit that I support this proposed constitutional amendment."

Senator Chumbley rose in support of the measure and stated:

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

"I support this proposed constitutional amendment, Mr. President, because I support and believe in the right of the citizens of Hawaii to define their own constitution. I also trust that, upon full and fair debate, our citizens, over time, will do the right thing.

"The preamble to the Hawaii State Constitution vests in 'the people' the power to 'control our destiny, to nurture the integrity of our people and culture, and to preserve the quality of life that we desire.' And it is in the name of the 'people of Hawaii' that our State Constitution was drafted and adopted. And because the current controversy is a product of language that is unique to the State Constitution, we have a duty to permit the people to effect its interpretation.

"In framing this amendment, we have been careful to respect the structure of our government and the rights of all our citizens. We do not believe that the people of Hawaii want their constitution infected by inferences of prejudice or bigotry, nor do we believe that our people favor jurisdiction stripping or discrimination on the basis of sex. Other versions of this measure would have manifested these prejudices. They were unacceptable and we accordingly rejected them.

"The amendment before us today is as finely tailored as we could accomplish. The people will decide on the simple issue of whether marriage should be limited to couples of the opposite sex -- the courts are not insulted, equal protection is not conditioned, and no religious or social dogma is adopted. Instead, an affirmative expression of our understanding of marriage is incorporated in the supreme law of our land.

"Some of us in this body may prefer to pass no constitutional amendment at all. Our inaction would permit non-traditional marriage to become law in Hawaii. It may be that our open and loving culture will someday evolve to accommodate the formal recognition of such unions. But if this is to happen, it should be as an affirmative expression of our commitment to equality; and not a result of legislative inaction.

"Through the passage of this measure, and the rights package of H.B. No. 118 (which, incidentally, colleagues, just passed the House a little while ago by 41 votes in the affirmative), we hope to make a positive statement to reaffirm the right of the people over their constitution; we express our trust in the judgment of the people; and we manifest our commitment to equal rights.

"This issue has simply divided our community and consumed the legislature for far too long. With or without a constitutional amendment, our community will continue to evolve, our understanding and manifestation of fairness and equality will continue to grow, and our role as a model for multicultural equality will be cemented in history.

"The way in which we at the legislature, and now the people of Hawaii handle this issue will serve as a message to the nation. I trust and believe that this message will be one of responsible openness. This amendment is a step in that direction.

"I have some additional remarks I would like to have inserted into the Journal. Thank you, Mr. President."

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

"Mr. President, as a Legislator, I took an oath to uphold the Constitution of the State of Hawaii, a document which I hold dear as a lawmaker and as a citizen. The preamble to our constitution states, 'We reaffirm our belief in a government of the people, by the people and for the people, and with an understanding and compassionate heart toward all the peoples



of the earth, do hereby ordain and establish this Constitution of the State of Hawaii.' Guided by these words, I feel reaffirmed in my belief that as legislators, we must represent all of the people.

"Apart from the constitution itself, I believe that America's commitment to fairness and equality is best captured in the words of Dr. Martin Luther King, 'I have a dream,' he said, 'that someday my children will be judged not by the color of their skin but rather by the content of their character.' And as legislators, it is a daily challenge that we make real this dream and to ensure that distinctions imposed by the law are based on genuine and substantial governmental interests and not based on fear, ignorance, or prejudice.

"Over the past five years that I have served as a member of the Hawaii Legislature, and most recently as co-chair of the Senate Judiciary Committee, I have spent countless hours of soul searching regarding the issue of same-sex marriage. On Wednesday, I agreed to support a constitutional amendment which would reserve marriage to opposite sex couples. I also agreed to support establishing reciprocal beneficiary relationships with certain governmental rights and benefits. I would like to take this opportunity to explain why I supported these measures.

"First, I believe that as a society, we can only gain by supporting committed relationships between people who love each other and want to provide mutual support for each other. Our governmental structure extends hundreds of benefits to married couples because we believe that our society and our state benefit from relationships based on mutual care and the pooling of resources. Therefore, I was encouraged by the Supreme Court's ruling that as a state we should extend government recognition of rights and benefits to all persons equally.

"A second key belief that I hold is tolerance for differences, something that is a part of our daily life in Hawaii. Because of our multi-cultural community, our people appreciate the fact that everyone in our state is a member of a minority group. We understand that we must respect our differences, because our strength is rooted in our diversity; it supports rather than divides us. I must admit that because I have been guided by a more tolerant personal philosophy, perhaps I underestimated the adverse response to our proposal to provide similar governmental rights and benefits to committed relationships between persons who are not lawfully allowed to marry.

"Most of the opposition to same-sex marriage and reciprocal benefits came from persons who stated that they were so motivated by strong religious beliefs. I understand that religious beliefs compel some people to oppose same-sex marriage because these relationships involve what some consider aberrant and deviant sexual behavior. I struggled in talking with these persons who were sometimes ill-informed and, unfortunately, responding from fear rather than from a place of tolerance and understanding. I was especially disturbed by the negative reaction from persons living outside of Hawaii who are obviously not very tolerant nor appreciative of differences between people. What upsets me the most, was their view of people who were different as less than human and less deserving than the 'majority'. I wonder if they realize that most of Hawaii's citizens are different from the mainland 'majority'?"

"In the end, I am willing to acknowledge that political pressure was brought and bought by persons both within and outside of Hawaii, which allowed for the 'majority' to be able to overrule the minority. However, I am also painfully aware that my Senate colleagues and I agreed to a compromise that will forever change the course of history in Hawaii. Ultimately, it is my hope that the opportunity to vote on this issue will allow the people of Hawaii to reaffirm their belief in our constitution and our government 'with an understanding and

compassionate heart' and recognize that all of Hawaii's people should be treated with dignity, respect, and fairness."

Senator McCartney supported the measure as follows:

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

"First of all, Mr. President, I'd like to thank the conferees on both the House and Senate side. This has been a long journey, a long four years, and today I hope we can bring closure to it and move on to many of the important issues that the people of Hawaii face.

"While I believe that Hawaii's citizens are uncomfortable with changing the definition of marriage, I also believe that we are compassionate and tolerant of minorities. The solution lies in finding this balance.

"Both bodies have agreed to a balanced approach; a constitutional amendment which gives the Legislature the authority to acknowledge the preservation of traditional marriage and a reciprocal beneficiaries package, which grants similar rights to those who cannot get married under the law.

"So that the record is clear, granting similar rights and benefits does not mean granting same sex marriage as some have alluded to in an effort to confuse the public. Our compromise package simply gives us the legal and constitutional abilities to limit marriage to man and woman and ensures that those who cannot be married under the law are afforded certain rights and benefits. This will, in turn, resolve the issue before us.

"During this debate much was said, much was learned, and I believe much more needs to be done so that all people will be treated with fairness, dignity and respect under the law.

"As 1998 approaches and we vote on the constitutional amendment in November, I hope we remember that we are all minorities in Hawaii. Our state has a tradition of respecting and tolerating differences among all of its people. Somehow, we have always managed to find a way to live together as one community. I believe Hawaii has been a global leader in honoring and embracing diversity among its people without discrimination. All of us are entitled to choose personal values, principles, and morals by which to live our lives. We should not let hate, anger and intolerance be a driving force when we vote on the constitutional amendment. I believe Hawaii will vote on this amendment with dignity.

"Therefore, Mr. President, I support the constitutional amendment and putting it on the ballot. Thank you."

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

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 5 (H.B. No. 214, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 5 be adopted and H.B. No. 214, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Anderson spoke on the measure and said:

"Mr. President, I have some reservations on this particular measure as I did in the very beginning and I'll be very brief.

"I believe that this bill should have gone to Finance. We did not hear from the Department of Economic Development, but any map or any piece of written stationery or anything that has Keahole Airport will have to be changed back to Kona Airport as it was when I was in the House. It is going to be a cost factor and I believe that if we ever do anything again with changing a name that has to do with the travel industry that it would go to Finance and we would find out the implications as far as the cost factor.

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 214, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KEAHOLE AIRPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 9 (H.B. No. 1638, H.D. 2, S.D. 1, C.D. 1):

Senator Matsunaga moved that Conf. Com. Rep. No. 9 be adopted and H.B. No. 1638, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Slom spoke against the measure as follows:

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

"While I think the intent of the correctional programs activity is a laudable one, I think there are a number of very serious flaws with the program. First of all, the private sector is placed at a great disadvantage since the equipment, the rent, the utilities and other functions are provided by the state, and prison labor costs less than the wages private employers must pay. In addition to that, the bill allows for the hiring of an additional 45 employees in any fiscal year. And finally, Mr. President, the actual activities which continue to expand at the prison are given preferential treatment in terms of awarding of government contracts, again, at the expense of the local small businesses.

"So, for these and other reasons, I will vote 'no.' Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 1638, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Com. Rep. No. 10 (H.B. No. 1706, H.D. 2, S.D. 2, C.D. 1):

Senator Kanno moved that Conf. Com. Rep. No. 10 be adopted and H.B. No. 1706, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chun Oakland.

Senator Slom rose in opposition to the measure and stated:

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

"For nearly six years every business and every business organization testified at this Legislature in opposition to an employee payroll and training tax. There, in fact, was no training fund that was established. It was an additional tax on employers. When the bill finally was passed, there was a five-year sunset provision. The act was supposed to expire the additional tax last year. It did not. It was slipped in at the last minute. And now we're talking about a moratorium, an 18-

month moratorium, after which there will be a report made to the 1999 Legislature, but the tax will resume again in January 1, 1999, before the report is made to the Legislature.

"This tax should never have been enacted. It should have been sunsetted. It should be repealed now. I'm voting 'no,' Mr. President."

Senator Sakamoto supported the measure as follows:

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

"I agree with some of the previous speaker's remarks. However, this bill will slightly help small businesses in Hawaii by authorizing this 18-month moratorium on assessments to the Employment and Training Fund. However, this fund has amassed more than \$8 million that's now sitting un-utilized. So, relief could have been implemented sooner and possibly the fund monies used sooner to really help the jobs that we so much need.

"And this is, yes, one of the few surviving bills that will help small business and, yes, mentioned earlier the 7-year plan to alleviate problems with the pyramiding of the general excise tax on lease and sub-lease transactions. But these are only really band-aids, Mr. President. We have suffered through seven long years of decline. How many more jobs will be lost in the next seven years?

"This morning's Advertiser, 'Income growth for state last in U.S.' Should we be surprised? These are only tiny measures and they won't save most businesses or most jobs that are currently in jeopardy. They don't help cover the gaping wounds. Our economy is hemorrhaging, Mr. President, bleeding profusely for seven long years. So we need to do more to save small business, create jobs, Mr. President. But I'm in support of this measure.

"Thank you."

Senator Anderson spoke on the measure as follows:

"Mr. President, I have some reservations on this particular bill and I agree with the Minority Floor Leader.

"The thing that bothers me is the first time that we used the training fund, it happened to be for the Island of Lanai. It was not for small business, as far as I was concerned. It was for big business, for one individual, and that kind of bothered me at the time and I made a floor speech on that.

"Also, this year we were taking that money and putting it in a special fund that was going into the general fund. We've been playing with the unemployment training fund. I believe it should be used strictly for business. And if it's not going to be used for the small business people and the people who are really the ones that generating it, then we should discontinue.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 1706, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT AND TRAINING FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 15 (H.B. No. 1899, H.D. 1, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 15 be adopted and H.B. No. 1899, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Tam requested a ruling from the Chair as follows:

"Mr. President, I wish to declare a possible conflict of interest. I sell life insurance."

The Chair ruled that Senator Tam was not in conflict and said:

"No conflict. You may vote."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 1899, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 16 (H.B. No. 1006, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 1006, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 18 (H.B. No. 141, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 141, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 21 (H.B. No. 582, H.D. 1, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 21 be adopted and H.B. No. 582, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Slom rose to speak against the measure and stated:

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

"In order to be consistent, I was against the bill before and I'm still against the bill today. I haven't seen changes that have been made that require a ban and require this much activity and this much emphasis, particularly when we're allowing the business community to slowly die without any rules whatsoever. So I will be voting against this bill."

Senator Baker rose in support and said:

"Mr. President, I have some remarks in support of this measure I would like inserted into the Journal, please."

The Chair having so ordered, Senator Baker's remarks follow:

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

"Mr. President and colleagues, with passage of this bill, Hawai'i will join 45 other states throughout the country to enact legislation to ban or regulate the extreme or ultimate fighting contests that have gained recent notoriety. The Conference Committee on this bill recognized the inappropriate brutality

and violence of these activities and unanimously agreed that these contests have no place in our community.

"I am compelled to reiterate that this bill is not intended to ban legitimate sports such as boxing, wrestling or traditional martial arts that have structured rules and protective measures in their activities. Nor is it intended to set a precedent of banning other athletic activities because of their inherent risk of injury. It is important to note that while injuries occur in such sports as football, baseball and soccer, those injuries are incidental to the sport, and is not the sole objective as is often the case with extreme or ultimate fighting.

"I urge my colleagues to be consistent in our stand against violence in our community and vote 'aye' on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 21 was adopted and H.B. No. 582, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMBAT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 24 (H.B. No. 1762, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. 24 be adopted and H.B. No. 1762, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Kanno rose in opposition to the measure and said:

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

"Mr. President, my concern about this measure is the provision that allows for the disposal of impounded vessels through a negotiated sale that could occur behind closed doors. We feel strongly that these kinds of arrangements should be done through a public auction in full view of the public with full access to all interested parties. Mr. President, this concern was addressed previously in the S.D. 1, however, in conference the word 'negotiation' was reinserted into the bill and we're very much opposed. We are very concerned that at the public hearing it was voiced by the public that there is a perception of impropriety that this bill allows through negotiating sales secretly.

"For those reasons, we are opposed to this measure. Thank you."

Senator Sakamoto rose to support the measure and said:

"Mr. President, I speak in support of the measure.

"This bill was requested by our Department of Transportation to deal with a process that's costing them too much money, taking too much time.

"This bill relates to impounded vessels that are moored in our commercial harbors as opposed to private harbors. This bill takes effect when someone doesn't pay their moorage fees or other fees for a vessel, then the Department of Transportation sends a notice of impoundment to the owner. After such notice, the owner has the opportunity to ask for a hearing, or they can pay what is owed -- what is owed our state government, what's owed the Department of Transportation, what's owed our harbor. They have an opportunity to pay up. A hearing is held. They have an opportunity to explain the circumstances. They have an opportunity to pay.

"Having not paid, and the vessel being impounded, if the vessel costs or is appraised at less than \$5,000, Mr. President -- so this is not for all boats, not for all vessels -- or, if the cost of the vessel is less than \$125 a foot for small vessels. For small boats, this measure doesn't affect everything.

"We heard a lot of opposition. We amended the bill to reduce it to commercial harbors. So we're talking about fishermen, people in business. We amended the measure to allow the boat owners to send in their own appraisal so that if there is any cause of impropriety about under-valuing a boat, an appraisal can be presented by the owner.

"The case at present is inefficiency, Mr. President. Our state has to expend money to advertise, expend money to store the vessel, to bring some of these vessels that are, in essence, abandoned by their owners, to auction after the time, after expense, after inefficiency. This bill proposes to help our government be more efficient. And I believe that we, here, as Legislators our job is to help our government be more efficient as well as understanding concerns of the citizens.

"The aggrieved party can pay what's due any time, any time. It does not prevent anybody from paying what's due. However, having not paid what's due, Mr. President, they do lose the ownership of their vessel. And what does the state do with it -- they can donate it to a non-profit entity; they can give it to another government body; they can dispose of it, or yes, they can negotiate for disposal, sale or whatever. That's the right of our government to do this after the parties have not made the payment and they've had their hearing. The process has gone forward, Mr. President.

"At this point, some people have reservations. We've tried to address those reservations. I feel this bill adequately addresses the reservations and wrongly addresses the DOT for some problems that are not theirs and I believe I'd like to support and ask the Senators to support efficiency in our government, and let's go forward with the process.

"Thank you, Mr. President."

Senator Kanno then added:

"Mr. President, may I make additional comments in opposition to the measure.

"Notwithstanding the comments made by the previous speaker, a public auction affords the right of anyone from the general public to participate in the bidding process. The auction is not being set up for the former owner of the vessel to buy back his boat after paying his fines. The public auction is a public proceeding where any individual, in all fairness and equity, can come forward and bid openly to purchase that impounded vessel. That is the issue that we are concerned about.

"The other issue that we're very concerned about is the precedent that this bill would set. Should this bill go forward, and the negotiation be allowed to sell these vessels behind closed doors, this could be used as a precedent for similar kinds of sales in other government agencies. And we want to assure the right of the public to a fair and open public auction process.

"Thank you."

Senator Kawamoto rose to support the measure and said:

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

"I'd like to have the remarks of the Senator from Moanalua to reflect those of my own.

"I'd also like to say that during the hearings we had some concerns and these concerns were based on bad experience of previous activities and primarily on the DLNR side of the house. We're asking for government efficiency for the Department of Transportation and they requested the bill and this provides them that efficiency.

"I ask all my colleagues to vote 'aye' on this bill. Thank you."

Senator Tam spoke against the measure as follows:

"Mr. President, I speak against this bill.

"I speak against this bill because I look for a better type of legislation. The area we're talking about is basically in my district which is the Downtown area, the Honolulu Harbor area. And having been a Senator for the area, now, for my second year, I've seen a lot of misuse of management within the area. And quite frankly, no offense to anyone, but I don't think this legislation will help.

"What we need is an overhaul of the management within administration, basically. I can see in terms of possible ways whereby things are being done behind doors and currently they are being done behind doors. I hope that we can come up with legislation to take care of these behind door cover-ups in terms of confiscating boats and in some of them behind doors.

"For that reason, I'm voting 'no' on this legislation, and no offense to anyone.

"Thank you."

Senator Sakamoto rose again and said:

"Mr. President, just in response about the 'behind closed doors.'

"I thought I heard the previous speaker say about confiscation behind closed doors. By no means does the impoundment happen behind closed doors. Notice is given and there's opportunity to respond in a public hearing -- opportunity to hear the issues.

"In regard to the disposal or negotiation, at this point, Mr. President, the owner has had all the opportunity to do what he needs to do. And the objections are from the previous owners that DLNR and other people have responded to. The objectives from the DOT for letting this process go on is, many times nobody comes to the auctions because these boats are abandoned and derelict. And really we need to be efficient and we need to support and work with our departments to be efficient, not work against them.

"Thank you."

The motion was put by the Chair and Conf. Com. Rep. No. 24 was received and placed on file and H.B. No. 1762, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF IMPOUNDED VESSELS," having been read throughout, and Roll Call vote having been requested, failed to pass Final Reading on the following showing of Ayes and Noes:

Ayes, 11. Noes, 14 (Baker, Chumbley, Chun Oakland, Fernandes Salling, Fukunaga, Ige, D., Kanno, Levin, Matsunaga, McCartney, Metcalf, Slom, Tam, Taniguchi).

Conf. Com. Rep. No. 28 (H.B. No. 111, H.D. 1, S.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 28 be adopted and H.B. No. 111, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose in opposition to the bill and said:

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

"I'm confounded by the bill and perhaps some of the people who are directly involved can explain to me why not only does the bill seem to be a little liberal in many areas, but it specifically says that the class A felony will occur if a person living with or having recurring access to a minor under the age of 14 engages in three or more sex acts with the minor. What's wrong with one or two? Why do we have three? Can someone answer that question for me, Mr. President?"

Senator Matsunaga, rising in response to the previous speaker and in support of the measure, then stated:

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

"In response to the prior speaker's question, this simply provides for enhanced penalties and enhanced sentencing for those people who commit this continuous sexual abuse act against a minor. A sexual abuse act against a minor is already punishable under current law. This is for continuous sexual abuse. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 111, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 29 (H.B. No. 581, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 581, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORT LIABILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 31 (H.B. No. 20, H.D. 1, S.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 31 be adopted and H.B. No. 20, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Kawamoto rose to support the measure and said:

"Mr. President, I speak for the bill.

"Mr. President, the purpose of this bill is to establish a 90-day holding period an individual must hold a learner's permit before that individual can be eligible to take the driver's examination for a driver's license. This bill also requires that individuals with a learner's permit must be accompanied by an individual over the age of 18 when operating a vehicle. This bill also calls for the Department of Transportation and the examiner of drivers to reevaluate the current drivers' licensing process to update our current antiquated driver's licensing process.

"This is nothing more than an issue of safety and to protect our young people. As you all know, statistics show that our teenagers are killed in motor vehicles more than double that of the older drivers.

"So, Mr. President, I ask all my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 20, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," having been read

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

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

Conf. Com. Rep. No. 32 (H.B. No. 116, H.D. 2, S.D. 2, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 32 be adopted and H.B. No. 116, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chumbley.

Senator Anderson spoke on the measure and said:

"Mr. President, I have some reservations on this particular measure.

"The bill states that for anyone under the age of 21, it's a zero tolerance. I had reservations when it went over originally and said that any young person under 21 who may have a beer and goes out and gets into an accident that may not be his or her fault is still going to be charged with a DUI. And it doesn't say anything about anybody 21 and over; it only goes 21 and under. So it's all right for you to go out and have a couple of beers and get into an accident and they can charge you just for an accident, but you would not be charged with a DUI because you're not under that zero tolerance. It's only for a young person, 21 and under. And that really bothers me that we're going to look at the younger people who have a beer and gets in an accident, and are not really the ones that are responsible for it.

"For those reasons I have reservations.

"Thank you, Mr. President."

Senator Sakamoto rose to speak in favor of the bill and stated:

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

"The purpose is to provide zero tolerance of drinking and driving for persons under the age of 21, and as the previous speaker remarked, yes, under the age of 21 because, Mr. President, alcohol, especially with driving, is an insidious drug.

"In a 1987 Weekly Reader poll, one-third of 4th graders felt a lot of peer pressure to use alcohol. The pressure to use alcohol remained the nearly the same for grades 4 to 6, then showed a steady increase through the grades, increasing to 76 percent for grades 7 to 12. Mr. President, these are alarming statistics.

"Unfortunately, alcohol today is the No. 1 drug of choice by teenagers and easily attainable and relatively cheap. Mr. President, even though the law says drinking alcohol before age 21 is illegal, alcohol substantially contributed to the deaths and injuries of many of our young people. Between 1986 and 1993, 67 drivers under the age of 21 died in our state. This zero tolerance bill is important because we have to enact a law by October 1, 1998 or risk losing federal funds, but, more importantly, the effects of the zero tolerance bill in 12 other states have shown approximately a 20 percent reduction in the proportion of fatal crashes among drivers under the age of 21.

"So it's from experience that the younger drivers are less experienced and apparently take greater risks, apparently use not as good judgment. So, Mr. President, I would have wished that this measure were in effect long ago. Now it's set for December 1, 1997. Mr. President, time and tide wait for no one and in a little over a month we'll be having graduation and graduation parties. Thousands of young people will be out there and our only prayer is that they heed this caution at this time and not just wait for a bill to be enacted.

"The bottom line message -- drinking and driving don't mix, Mr. President. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 116, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 38 (H.B. No. 1451, H.D. 1, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 38 be adopted and H.B. No. 1451, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Slom spoke on the measure as follows:

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

"I think this version of the bill is better than our previous attempt, but I'm still very disturbed and very cautious about the provision that establishes lease rent caps within the bill and interferes with both the private contractual arrangements and the free market.

"Thank you, Mr. President."

Senator Baker then said:

"Mr. President, I have some remarks in support of this measure I'd like inserted into the Journal."

The Chair having so ordered, Senator Baker's remarks in support of the measure read as follows:

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

"The purpose of the bill before us is to bring closure to an issue that has persisted at the Legislature for quite some time. Specifically, this bill attempts to address concerns about the sale, distribution and pricing of petroleum products, and the tenuous relationship between gasoline dealers, jobbers and manufacturers.

"To say that this issue is 'complicated' is a gross understatement. Your Conference Committee was not tempted to seek a short term solution, but accepted the challenge of crafting a long term solution that brings a balanced play field and fosters competition.

"Under this measure, we have addressed the concerns of dealers who feared that they would be forced out of the market due to the potential predatory actions of manufacturers. We also provided provisions to allow jobbers and manufacturers to compete on the retail level. Specifically, this bill features the following provisions:

- No conversion of existing lessee dealers;
- Grandfathered in company-owned stations legally in existence prior to July 31, 1997;
- No new company-operated station may open up within 1/8 mile of a dealer-operated retail service station in an urban area, and within 1/4 mile in other areas;
- Provided for a three-year lease rent cap and a formula by which lease rents may be calculated;

- Required DBEDT to gather, analyze and interpret information about the petroleum industry and provide the Legislature with an annual report on its findings and recommendations; and

- Established a volunteer petroleum advisory council of dealers, jobbers, manufacturers, refiners and DBEDT representatives to advise DBEDT on the state of the industry and recommend any actions that may be necessary to ensure the highest level of competition and consumer benefit.

"This measure offers a long term solution to a difficult problem. I urge my colleagues to vote 'aye' on this measure."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 1451, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PETROLEUM INDUSTRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 40 (H.B. No. 1686, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator M. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 1686, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 41 (H.B. No. 1675, H.D. 2, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 41 be adopted and H.B. No. 1675, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Kawamoto rose in support and said:

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

"The purpose of this bill is to require the Department of Labor and Industrial Relations to work with the industry in developing a plan for the certification of hoisting machine operators.

"Currently there are no rules regulating the operation of cranes in the State of Hawaii. At this time any individual, no matter how incompetent, can operate a heavy crane if that individual passes a physical examination.

"We need to start taking a hard look at unsafe practices in the State of Hawaii because the operation of heavy machinery presents a dangerous hazard to employees and pedestrians alike.

"This again is an issue of safety, therefore I ask my colleagues to vote 'aye' on this measure. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 1675, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 48 (H.B. No. 979, H.D. 2, S.D. 1, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 48 be adopted and H.B. No. 979, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom opposed the measure as follows:

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

"I think it's a laudable purpose for the bill, unfortunately, trying to require tax exempt cigarettes to be identified in prohibition of their sale is going to require an amazing effort on the part of the state that already says that it's already understaffed and under-paid. I think that we had testimony in support from the Tax Foundation and other organizations to show that while this may sound good and feel good, it's not going to be accomplished. So for those reasons I vote against the bill."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 48 was adopted and H.B. No. 979, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES AND TOBACCO TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Aki, Anderson, Bunda, Kawamoto, Slom, Solomon, Tanaka). Excused, 1 (Metcalf).

Conf. Com. Rep. No. 63 (S.B. No. 1160, S.D. 1, H.D. 3, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 63 be adopted and S.B. No. 1160, S.D. 1, H.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawamoto.

Senator Slom spoke against the measure and stated:

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

"Well, I've spoken against the bill before. Again, I love electricity and I like electric vehicles. I pass our electric vehicle in the garage every day to make sure it's still pumping out electricity at taxpayers' expense. But I don't think that this particular vehicle or any specific industry should be given exemptions at the expense of other individuals and other industries. For those reasons, I oppose the bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 1160, S.D. 1, H.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Metcalf).

Conf. Com. Rep. No. 65 (S.B. No. 130, S.D. 1, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 65 be adopted and S.B. No. 130, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Kawamoto supported the measure and said:

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

"Mr. President, this bill allows people and the City and County of Honolulu the opportunity to re-live again vintage cars, antique cars and custom-made cars. This bill allows these special interest vehicles to be exempt from the reconstruction inspection process.

"These individuals who brought this bill before me to introduce want nothing more than to be able to enjoy their vehicles that they have to put a lot of money, time and effort into restoring them. Therefore, Mr. President, I urge my colleagues to vote 'aye' on this bill.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 65 was adopted and S.B. No. 130, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Fernandes Salling). Excused, 1 (Metcalf).

Conf. Com. Rep. No. 66 (S.B. No. 382, S.D. 1, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 66 be adopted and S.B. No. 382, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

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, this bill provides DOT to waive the actual demonstration of ability to drive a motorcycle or motor scooter if the individual has passed an approved Motorcycle Safety Foundation course offered by the State of Hawaii. This bill requires the Director of Transportation to review all Motorcycle Safety Foundation courses offered in the State of Hawaii to determine its eligibility into the waiver status.

"This bill hopes to increase the number of motorcycle drivers in the state that will have enrolled and passed motorcycle/motor scooter safety courses.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 66 was adopted and S.B. No. 382, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67 (S.B. No. 991, S.D. 2, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 67 be adopted and S.B. No. 991, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Kawamoto rose in support and said:

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

"This bill is ten years in the making. It provides illegal drugs into our already existing implied consent laws. Currently there is no mechanism for police officers to test drivers suspected of being under the influence of drugs if the driver refuses to submit to a test.

"This bill has been a long time coming, and this bill is a part of the Majority package of the Senate from the beginning of this session.

"I urge my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 67 was adopted and S.B. No. 991, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 69 (S.B. No. 1621, H.D. 1, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 69 be adopted and S.B. No. 1621, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Slom rose to oppose the bill and stated:

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

"As I have said before and shared with my colleagues, I certainly think the Department of Transportation should have flexibility with HOV lanes and while I certainly share the concern of my friends in Central Oahu about the problems of stopping people that are violating HOV lanes, nonetheless I think that our civil liberties and freedom are important enough to require that the police actually stop individuals and cite them if, in fact, there are infractions. And so the repeal of Act 224, Session Laws of 1993, which is embodied in this bill, I think is inappropriate and I vote 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 69 was adopted and S.B. No. 1621, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 74 (S.B. No. 989, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Matsunaga, seconded by Senator Chumbley and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 989, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kanno).

Conf. Com. Rep. No. 75 (S.B. No. 1069, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 75 was adopted and S.B. No. 1069, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE NOMINATION PAPERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 77 (S.B. No. 5, S.D. 2, H.D. 1, C.D. 1):

Senator D. Ige moved that Conf. Com. Rep. No. 77 be adopted and S.B. No. 5, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Kanno then stated:

"Mr. President, please register my 'aye' vote with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 77 was adopted and S.B. No. 5, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORSPORTS INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 87 (S.B. No. 817, S.D. 1, H.D. 1, C.D. 1):

Senator Tam moved that Conf. Com. Rep. No. 87 be adopted and S.B. No. 817, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aki.

Senator Chumbley rose to oppose the measure and stated:

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

"Mr. President, the two years prior to this year we spent a lot of time and effort working on the re-codification of the education statutes. One of our primary focuses was to create legislation that was enabling, not legislation that was mandatory. This bill sets up a process where the Board of Education shall establish guidelines to foster community volunteer relationships between the school and private service providers.

"Mr. President, if the schools want to adopt volunteer programs, let the schools and let the SCBM councils. Let's not have the Legislature get involved in telling the schools to volunteer.

"Thank you, Mr. President."

Senator Tam spoke in support of the bill and stated:

"I speak in favor of the bill.

"This bill, I might emphasize, only requests the Board of Education to make guidelines. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 87 was adopted and S.B. No. 817, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Baker, Chumbley, Ige, D., Iwase, Solomon).

Conf. Com. Rep. No. 88 (S.B. No. 870, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 88 and S.B. No. 870, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 96 (S.B. No. 375, H.D. 2, C.D. 1):

Senator Levin moved that Conf. Com. Rep. No. 96 be adopted and S.B. No. 375, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Metcalf.

Senator Slom spoke against the measure and said:

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

"The bill will increase fees in this area. I think in many ways that while the attempt is good, it is a shortsighted bill. And what we've seen before when we raised the fees we encourage people to dump on the side of the road or dump at additional places. And so for these and other reasons, I oppose the bill.

"Thank you."



The motion was put by the Chair and carried, Conf. Com. Rep. No. 96 was adopted and S.B. No. 375, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 97 (S.B. No. 257, S.D. 2, H.D. 2, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 97 be adopted and S.B. No. 257, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Anderson rose in opposition and stated:

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

"I've stated before that the retirement system should not be touched and we should leave it alone. I've more or less told the different people that are members of the retirement system that we would have problems, so consequently I'm going 'no' and wish that my colleagues would consider also going 'no.'

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 97 was adopted and S.B. No. 257, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 99 (S.B. No. 208, S.D. 1, H.D. 2, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 99 be adopted and S.B. No. 208, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom then rose and said:

"Mr. President, I rise on a point of information."

The Chair inquired:

"Whom do you wish to address your point of information to?"

Senator Slom answered:

"I can address it to you, Mr. President.

"I think that we received a corrected copy of this bill after the deadline for posting the bill the other night. And my question is as to whether or not this bill is legally situated and we can vote on it today."

At 3:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:27 o'clock p.m.

Senator Slom continued:

"Mr. President, I just want to respond. I want to thank you for your assistance and for the others' assistance in answering my question about whether or not the bills had been properly and legally decked before the deadline, and I am happy to hear that they had been. And I was also happy to learn that the committee reports are really not as important as we thought they were, that the intent must be in the bill and not in the

committee report. So I know that will probably save us a great deal of time in the future because we won't have to spend so much time on committee reports.

"So, Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 99 was adopted and S.B. No. 208, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Com. Rep. No. 100 (S.B. No. 927, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Com. Rep. No. 100 and S.B. No. 927, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Com. Rep. No. 102 (H.B. No. 1796, H.D. 1, S.D. 1, C.D. 1):

Senator M. Ige moved that Conf. Com. Rep. No. 102 be adopted and H.B. No. 1796, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Bunda.

Senator Taniguchi stated:

"Mr. President, would you note my reservations to this bill. Thank you."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 102 was adopted and H.B. No. 1796, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Conf. Com. Rep. No. 107 (H.B. No. 1547, H.D. 2, S.D. 1, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 107 be adopted and H.B. No. 1547, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tanaka.

Senator Slom spoke against the measure and said:

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

"We talked about privatization. We've been talking about privatization in many different areas and particularly in small boat harbors and yet all that we wind up with is yet another task force and another study, rather than actually having a pilot program. I think that we have an abundance of studies and an abundance of task forces so I will be voting 'no.'

"Thank you."

Senator Baker rose in support of the measure and stated:

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

"Mr. President, I'd like to thank the conferees for their assistance in moving this bill forward. This measure presents the best possibility available to the residents of the Valley Island and the Friendly Island to ferry service re-established between Molokai and Lanai. This can be accomplished by virtue of this bill and without a cash subsidy from the state.

"A water link between the tri-islands of Maui County is vitally important to all of our citizens. The Maui-Lanai run is very popular and very economical. It's an important link both for our visitors and our residents. Unfortunately, the link between Molokai and Maui has been severed because it's much longer, more costly, but it's just as important, just as vital to the economy and to our citizens and our visitors.

"So I appreciate very much the hard work of the conferees and I ask I all my colleagues to vote 'aye.' Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 107 was adopted and H.B. No. 1547, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Slom). Excused, 1 (Ige, M.).

Com. Rep. No. 115 (H.B. No. 1857, H.D. 1, S.D. 1, C.D. 1):

Senator Iwase moved that Conf. Com. Rep. No. 115 be adopted and H.B. No. 1857, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Solomon.

Senator Solomon rose to support the measure as follows:

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

"Mr. President, I would like my colleagues to refer to page 3 of the bill, and I would like to read into the record why this bill was very important and why we were so enlightened that the House saw their way clear to adopt the Senate's position. And for the record, Mr. President, I read from the document that was submitted to your Committee on Water, Land, and Hawaiian Affairs dated March 31 from the Department of Hawaiian Home Lands in which the report states:

'The approach taken by the consultants is premised on the assumption that if trust lands had not been set aside by executive action for public uses; if CIP appropriations had been maintained at a higher level; if CIP appropriations had not been lapsed; if higher land rentals had been obtained; if interest earnings had been higher; if sugar lands had been leased at higher rentals;' and so forth, 'the trust would have received an additional \$196.6 million in 1988.'

"It's because of all these 'ifs', Mr. President, that your Committee on Water, Land, and Hawaiian Affairs was very compelled to address the whole purpose of this act, asking the Attorney General, the Director of Finance, the Chairperson of Hawaiian Homes Commission, and the Chairperson of the Hawaiian Home Lands Trust Individual Claims Panel to review the formula that was used in determining, in determining, how these claims were to be resolved.

"Mr. President, I also would like to refer to an article that appeared in this morning's Advertiser, 'Homestead payments appear doomed.' Mr. President, for the record, I would like to support my co-chairman's remarks:

'Sen. Randall Iwase, co-chairman of the Senate Water, Land & Hawaiian Affairs Committee, said he agreed to the bill only because it would extend the review process until 1999, allowing the remaining 3,516 claims to be heard.

"If the Senate did not compromise," Iwase said yesterday, "the 165 claims would vanish and the process for the 3,000 and some claims would also be gone."

Mr. President, that was the bottom line when we had negotiated these bills. This bill, in fact, was a compromise. It was a package with another of our bills that we will be considering later.

"Mr. President, for your information, I was very surprised to hear that after we had discussed with you, and I think it was Thursday evening, as to whether or not the state budget was still open for consideration, and you had informed both my co-chair and myself that, in fact, the budget was closed. It disturbed me greatly, Mr. President, when I heard from the press and others roaming the building that, in fact, our budget was not closed. Our budget did not close until Friday.

"Mr. President, on a point of information, could you verify as to what day our budget was finally closed here in the Senate."

The Chair responded:

"As far as I was concerned, when I talked to you, my agreement with the Speaker was that the budget was closed at that time."

Senator Solomon continued:

"Thank you. So with that information, Mr. President, it just reaffirms your co-chair's position in that we, in our original bill that we did send to the Ways and Means Committee we did ask for a \$2 million monetary cap. We did not receive that. We did try again to get the House to move. The House was reluctant until the very last hour. As of last Thursday, 2:00 p.m. they wouldn't move. We finally were able to get them to move because of a compromise in which we had to package both of the bills together.

"So with that, Mr. President, I'm hoping that this position will be reiterated to the Hawaiians, especially those people and those families that are greatly affected by this bill, so they, in fact, know that if it were not for the Senate they would be left with nothing.

"Thank you, Mr. President"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 115 was adopted and H.B. No. 1857, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Conf. Com. Rep. No. 119 (H.B. No. 1656, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Aki, seconded by Senator Tam and carried, Conf. Com. Rep. No. 119 was adopted and H.B. No. 1656, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Conf. Com. Rep. No. 122 (S.B. No. 1943, S.D. 1, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 122 be adopted and S.B. No. 1943, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Sakamoto.

Senator Kawamoto rose to support the measure and stated:

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

"Mr. President, this is a 'feel good' bill, and its purpose is to allow special license plates for combat veterans, World War II veterans, Korean War veterans, and Vietnam veterans. This bill also calls for the initiation of the decals by the City and County,

and in conference both houses decided that the combination of both bills would satisfy all interested parties.

"Therefore, I urge all my colleagues to vote 'aye' on this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 122 was adopted and S.B. No. 1943, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Ige, M.).

Conf. Com. Rep. No. 125 (S.B. No. 1421, S.D. 2, H.D. 1, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 125 be adopted and S.B. No. 1421, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Anderson spoke against the measure and said:

"Mr. President, I'll be voting against this. I voted against it before.

"I do not believe that this is the way we should have done it. If in fact you wanted to cut government, then you cut government. You don't say that you're going to take care of the situation. Hope the world is going to change and the economy is going to get better, if in fact you've done nothing for that economy. So I am opposed to that payroll lag. I don't believe that the state employees should be paying for their own raises anyway. So for that reason I will be going 'no.'

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 125 was adopted and S.B. No. 1421, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYROLL PERIODS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Kanno, Slom).

Conf. Com. Rep. No. 128 (S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 128 and S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 149 (H.B. No. 1688, H.D. 1, S.D. 2, C.D. 1):

Senator Aki moved that Conf. Com. Rep. No. 149 be adopted and H.B. No. 1688, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tam.

Senator Anderson spoke on the measure as follows:

"Mr. President, I have some reservations on this particular measure.

"I am in favor of the King Kamehameha celebration. I know that we put some money in there for the administrative part of it, but the rest of it says that we are taking public donations and that some businesses are helping us.

"If in fact, the Kamehameha Day Celebration is not putting money into the general fund then I believe that we should start from Magic Island, end at the King Kamehameha Statue, honor our King, then we would get into Iolani Palace, walk across, pay homage to our Queen, and that's the end of our celebration. If in fact the people in Waikiki are not making money, the HVB

is not promoting it, that we're not putting tax dollars into it, then let's change the routing. Let's not go into Waikiki.

"I believe that we have been supporting the state for a good number of years now with a cultural parade, one that has been of benefit to this state. And if we're not going to pay for it, ladies and gentlemen, then we'll take the cultural part of it and I believe that as a Hawaiian that we honor those people here, we'll end here, and that's it. We don't honor them in the beginning and then end up in Waikiki, honoring all the tourists and others so that we can make a few dollars.

"Thank you very much. Those are my concerns."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 149 was adopted and H.B. No. 1688, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 150 (H.B. No. 143, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator M. Ige, seconded by Senator Bunda and carried, Conf. Com. Rep. No. 150 was adopted and H.B. No. 143, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 164 (H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 164 and H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

At 3:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:49 o'clock p.m.

Conf. Com. Rep. No. 167 (H.B. No. 1798, S.D. 1, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 167 be adopted and H.B. No. 1798, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Iwase rose on a point of inquiry as follows:

"Mr. President, I rise on a point of inquiry, briefly, asking the Chair a few questions.

"On this bill, has the bill been recommitted in the House?"

The Chair answered:

"The bill, I believe, has been recommitted in the House."

Senator Iwase further inquired:

"And we are being asked to vote on this or are you recommitting the bill?"

The Chair responded:

"We are being asked to vote. As you know, our next actions after we complete the Order of the Day is to go into an extension. The House has that opportunity to reconsider it's

action on this bill, so I have asked the Senate to vote on this bill."

Senator Iwase continued to question:

"Mr. President, have you spoken with the Speaker to see if they will, in fact, be reconsidering action on the recommitment?"

The Chair replied:

"Certainly, we have 48 hours. In that process I will be speaking to him."

Senator Iwase then asked:

"And Mr. President, as a matter of history, has there ever been a time, in your recollection, that the House has recommitted a bill and the Senate has refused to do so, in recent memory or in distant memory?"

The President responded as follows:

"I think that the House has to act accordingly. We have no control over their body, and so to answer your question, there has been instances where one house has recommitted a bill and the other house has passed a specific bill."

Senator Iwase inquired:

"Can you give me just one example in the last two years?"

The Chair replied:

"I cannot give you an example."

Senator Iwase then stated:

"I don't recall any, Mr. President, and I don't believe there has been. And so, Mr. President, I find this to be rather curious to demand that this body now vote on a bill which has been recommitted by the House of Representatives."

"And for the record then, Mr. President, since you are asking us to vote on this bill, for the record I wanted to say that I would have voted 'aye with reservations' on this bill, but this bill and this action no longer relates to the merits or demerits of this bill but on the way in which leadership interprets and applies rules and procedures in a meandering and inconsistent manner."

"Mr. President, there was a movie 'And Justice For All' -- Al Pacino is before the judge and the jury and he says to the judge and the jury, 'Something is terribly wrong here!' And there is, Mr. President -- there certainly is. And I will vote 'no' to this kind of gamesmanship and to this unusual departure from how the Senate acts when the House recommit a bill. I'm casting a 'no' vote for that reason."

"Thank you."

The Chair then stated:

"If I may inform the previous speaker, I have conferred with the two co-chairs and the managers of the Conference Committee and they have agreed to move the bill forward for a vote."

Senator Iwase responded:

"Thank you, Mr. President. I have given my statement. I think this is inconsistent with history. It is inconsistent with precedence and I would ask the co-chairs if they could come up with one example where the House has recommitted a bill and the Senate has refused to recognize and honor that recommitment. And I don't believe the Speaker is going to play games unless over the past one week the Speaker has been so strategy-minded

that he has out-flanked us at every point. And I don't think that has happened."

"Thank you."

Senator Solomon rose to oppose the measure and said:

"Mr. President, I'd like to note for the record that I, too, will be voting 'no' for the various reasons that were brought up by the previous speaker, and if that may be so noted in the Journal. Thank you."

Senator Slom also rose in opposition and stated:

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

"Mr. President, I do note the presence of the 26th Senator up in the gallery. I saw him down earlier on the floor before. This was a bill that was crafted by the 26th Senator, not by this body."

"This bill does nothing to correct the problem that the Supreme Court decision rendered. In fact, all it says is to make sure that we implement that court decision even though it takes away all choices and fiscal options from the state government and from the counties. This is going to have a tremendously adverse effect already on a tremendously adversely affected economy."

"We keep talking about the economic crisis, Mr. President. It is not an economic crisis. It is a crisis of leadership. It is a crisis of the inability to solve our problems or to stand up to issues and to individuals that exert their political power within this state. Those areas that are not covered in this bill include the following: the landfill operations on the Big Island; the landfill operations on Kauai; the refuse collection on the Island of Maui; the operations that provide cover materials and transportation services on the Big Island; the pharmaceutical services at the Hawaii State Hospital; services for repair and maintenance of the ambulance fleet on the Island of Oahu, the City and County of Honolulu; repair and maintenance of water wells and related services on the Island of Maui; the ground maintenance and custodial services on the Island of Maui; services of audio-visual technicians and automated systems within the state library system; and the child and adolescent mental health services on the island of Hawaii by the state to various private contractors. And this, I might add, Mr. President, appears to be in conflict with the Felix/Waihee mandate since these services will come to a halt under this bill."

"What are we supposed to do without the services being provided and not covered by the moratorium? What we should have done a long time ago and that is to act. We are showing the community that we do not have the courage nor the leadership to be responsible for our own destiny. And this we must do."

"I cast a 'no' vote and urge my colleagues to do the same."

"Thank you, Mr. President."

Senator Sakamoto, rising in opposition, then said:

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

"The recent Konno decision by the State Supreme Court has thrown into question many services contracted out by the state and counties -- counties of Hawaii, Maui, Kauai. They are very concerned by the ramifications of that decision. They've sent their officials here to meet this body, asking us to clear this up. There are real concerns, Mr. President, and this bill as it's written still is very distressing."

"The Attorney General's office has issued a memorandum stating that virtually anyone could initiate a lawsuit against the

state, against the counties. This has a very chilling effect on government services in Hawaii.

"I'm sure everybody has seen the numbers showing potential costs if the state and counties no longer contract out services. In some instances three times as much, three times as much, for the same services. So we're talking about millions of dollars none of us can afford. And it will be the public who suffers if we're forced to cancel or cut back these services, Mr. President.

"Mr. President, I'm very disappointed that the language that stands before us -- this language that the Conference Committee has come up with -- does not address the underlying problem. In fact, it makes it worse. The Supreme Court made it clear in the Konno decision that privatization was an area where, quote: 'clear guidance from the Legislature is indispensable.' So where is the guidance from leadership in this measure? We provide no new guidelines to determine appropriate contracts. We maintain a cumbersome system of exemptions that has already failed court challenge. Current contracts were created with the understanding that they met legal requirements or were granted exemptions. The judiciary, for example, with the narrowest interpretation, 80 of their contracts are in jeopardy. Under a broader examination, maybe 800 contracts are in jeopardy.

"This measure, our bill, takes away some of the clouds, but it doesn't address really going forward. New contracts, there's a cloud over what happens on new contracts, Mr. President. This bill requests the governor, governor, to do something, the legislative auditor to do something with the attorney general's office, but the Legislature was requested to do something. So leadership does not even make that intent clear, so where is that leadership, Mr. President?

"I'm an engineer. When there is a problem you fix it immediately, especially a serious problem. You don't shove it off to someone else for someone else's responsibility. The answer lies here in the Legislature. We have the power to fix this mess. What is needed is leadership. Resolving this crisis will require leadership combined with the determination to make tough choices -- choices that will benefit the public. We're here to serve the public. We're here to serve the public, not the public servants. But let me say of the public servants, there are many good, dedicated workers. I'm not speaking against the public servants, but we're here to serve the public.

"We need to be fiscally responsible. We need to be able to protect what government does and be more efficient at the same time. Contracting out these services will meet the needs of our people and make our tax dollars go further, and it will keep jobs for civil servants with existing tax revenues. It will provide that we can fund current increases, future increases. It will not take away services we have if we correctly clear up this measure, Mr. President.

"Our Senate Majority package supported job creation, supported government efficiency. This bill threatens many existing jobs and makes government efficiency nearly impossible. Taxpayers do not deserve this bill, Mr. President. They deserve better.

"So, Mr. President and my fellow colleagues, a vote for this measure would make a bad situation even worse, so I urge you to vote 'no.'

"Thank you, Mr. President."

Senator Fukunaga rose in support of the measure and said:

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

"In response to the prior speaker's remarks, during the discussions that the Conference Committee had on this measure, there were many discussions on how best to preserve counties' and state agencies' existing operations, as well as to

allow for future privatization actions to be examined free of the cloud that the Konno decision supposedly places upon them. To deal with such concerns, the bill, as amended, creates a two-year blanket exemption from the civil service laws for all existing contracts and contracts executed subsequently by the state or counties prior to July 1, 1999. In this way, the state and the counties are free to enter into private contracts, fully exempt from any civil service law restrictions and free from the cloud created by the Konno decision.

"Moreover, the language in this bill includes a section to provide that the power of the courts to preserve health and safety of the public is not restricted. So, with respect to those instances in which there are already pending lawsuits, the bill does make clear that the courts are the appropriate area for resolution of issues dealing with public health and safety.

"To preserve the integrity of the merit principles under civil service law, the bill further prevents the state and counties from using the blanket exemption to enter into any new contracts that are intended to eliminate jobs or to discharge, lay off, or displace public employees.

"During the one-year period in which the task force is to examine the best means of going forward, all parties that are meaningfully included in this process -- public sector agencies, public sector employee representatives, state, counties, and the service providers commonly known as 'Chapter 42 providers' -- are to work together to craft a new process which will allow us to examine privatization in a meaningful going-forward manner. In this way, the bill seeks to achieve the balance which the Konno decision may have thrown into disarray.

"For these reasons, I urge all of my colleagues to vote in support of this bill. Thank you."

Senator Anderson rose to speak against the measure and stated:

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

"Originally, when the Minority Floor Leader asked for a recess, I had some problems with the bill as far as procedure. I did not believe that it went through the proper procedure so that we would be voting on it today. I had asked if we could go ahead and make sure that this, plus some other bills that we have problems with, would go through with the automobile insurance bill. And I was going with reservations.

"I thoroughly agree with all of the comments by the previous three speakers, but after listening to Senator Iwase saying not only is the bill dead on the other side, in all the years that I can remember here, never has a bill as controversial as this that is killed in one house or the other ever had been brought to the floor by the other body. Everybody says we will not expose our people to that. So consequently, I will be asking for a roll call vote. If in fact we're going to vote, then I want everybody here to make sure that you vote up or down because that's the procedure. If everybody wants to know where you are, even if it's dead on the other side, I want to make sure where you are just as well as anybody else.

"So, Mr. President, I will ask for a roll call vote. Thank you very much."

Senator Bunda rose in opposition to the bill and said:

"Mr. President, with your present ruling of voting when we have a recommittal in the other house I now believe that this negates the discussion of the merits or demerits of this particular bill. I have some remarks that I want inserted in the Journal against the measure.

"Mr. President, I really thought we were through with jungle rules here in the Senate when we first started reorganization. And Mr. President, I'm voting 'no' on this bill."

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

"Mr. President, I rise to speak with reservations on this measure.

"Mr. President, earlier last week I stated that we needed to solve the issue of privatization this session. I said I could support a moratorium with certain parameters or simply a measure that would protect the status quo. I believe the co-chairs and all of the conferees gave it their best shot. However, I'm very disappointed in the outcome of our negotiations.

"Philosophically, I believe we were all trying to accomplish the same thing -- and that is to restore the state and county governments ability to contract out services without any loss of jobs for public workers.

"In spite of the best efforts of the conferees, I believe the compromise makes the situation worse, not better. We have not met our original intentions. The counties are still seeking relief ... relief they need, especially in these tough economic times.

"Specifically, Mr. President, of major concern to me are sections 5 and 6 of the bill. On the surface, it seems that all contracts would now be allowed to continue. However, section 6 specifically prohibits the displacement of any worker. This, in effect, negates the allowance.

"Mr. President, this bill would have a chilling effect on any manager or government official who attempts to foster efficiency and cost effectiveness in government. Such an official would be wary of entering into contracts for the fear of a law suit or fines for 'displacing' workers.

"Just what is 'displacement,' Mr. President? It is not defined anywhere in the bill and it could be interpreted to mean anything. This additional word expands the impact of the Konno ruling, not define it.

"Before Konno, an exemption was possible if one could prove there was no violation of any merit principles. However, section 6 of the bill could be interpreted to mean that even under the current Civil Service Laws, the contract would be void if it 'displaces' a public employee.

"Because of our lagging economy, I'm concerned for our construction industry. Advocates of the moratorium tried to assure me that there would be language in the bill to address my concerns regarding construction projects.

"However, Mr. President, after reviewing this bill numerous times, I find the language to be very vague regarding existing and new contracts for the construction industry.

"I would like to ask Co-chair Fukunaga a question. Will this bill negatively impact the construction industry? Yes or No?

"Thank you, Mr. President."

Senator Chumbley rose in support of the measure and said:

"Thank you, Mr. President. I rise to speak in favor of the bill with reservations.

"Many people have said this bill will work; many people said it won't work. That's yet to be determined. I think there is some value in this bill. However, I do have some serious concerns about it. One of the concerns is that it lacks a committee report. Where can we show legislative intent if it's not clear in the law. It's the committee report, and I would hope that as this measure goes forward that both the House and the Senate will consider the attachment of the committee report, which I believe can be done through our rules.

"I also have concern about how this bill is going to affect many of the private contractors, the small guys on Maui, in the real rural areas, and how it will affect them. Ka Lima O Maui may be shut down. Now maybe our mayor doesn't need to make that decision under this bill. I think she's making that decision for fear of lawsuits."

Senator Anderson interjected:

"Point of information.

"Mr. President, when I asked about the bill that there was a flaw, I was told that the ..."

Senator Ihara interjected:

"Point of order, Mr. President."

Senator Anderson continued:

"One moment."

Senator Ihara again interjected:

"Point of order, Mr. President."

Senator Anderson continued:

"He's supposed to be speaking to the bill and not to the committee report as far as our attorney from the Majority ..."

Senator Chumbley asserted:

"Mr. President, I am speaking on the bill. If the Minority Leader could be seated and let me finish my statements, please."

The Chair recognized Senator Chumbley and the Senator continued as follows:

"I do have concerns about how this bill will affect some of the smaller organizations on Maui that are not truly a threat to civil service. And I do have some concerns about Section 6 of the bill. Mr. President, I understand that if the House has recommitted the bill, there still is a possibility for reconsideration in that body based on any action that we take. And I would hope that this measure can be amended so that everyone's concerns are addressed and that we do end up with a good bill.

"Thank you, Mr. President."

Senator Anderson rose on a point of information as follows:

"Mr. President, I rise on a point of information, please.

"Was it not our understanding when we talked to the majority attorney that it's the bill that you speak on. The committee report, it doesn't make any difference if that's not on our desk. So to refer to the committee report with all the good things and the intent is not anything that we can go by. And that was one of the things that I brought forth. We received a bill with no committee report.

"And I have been taught over the years that if in fact you do not want a department to back-door us, what you normally do is put it down in the committee report so that when it goes to the courts, if need be, the committee's intent is what is there. And they're saying no, that it is the bill. So I told them from now on I will put everything in the damn bill, as far as the intent. I would vote against anything unless a chairman allows us to put it into the bill and not say we will put into the committee report because that will be substantially taken care of. When it goes to court we could use that.

"Thank you very much, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 167 was adopted and H.B. No. 1798, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Anderson, Bunda, Ige, M., Iwase, Sakamoto, Slom, Solomon, Tanaka).

#### FINAL READING

Conf. Com. Rep. No. 42 (H.B. No. 1771, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 1771, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 43 (H.B. No. 1774, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 1774, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 44 (H.B. No. 1776, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 44 was adopted and H.B. No. 1776, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (H.B. No. 1777, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 45 was adopted and H.B. No. 1777, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 46 (H.B. No. 1778, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 46 was adopted and H.B. No. 1778, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (H.B. No. 1792, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator Fukunaga and carried, Conf. Com. Rep. No. 47 was adopted and H.B. No. 1792, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (H.B. No. 1664, H.D. 1, S.D. 2, C.D. 1):

Senator Aki moved that Conf. Com. Rep. No. 49 be adopted and H.B. No. 1664, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tam.

Senator Slom, rising to speak against the measure, then said:

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

"I notice that the bill is for the 'Virtual University' and appropriates \$100,000 of taxpayer money. While I have nothing against the Western Governor's University, this is for the 'Virtual University' so if we're going to use taxpayer funds I'd rather appropriate virtual funds for this, and I vote 'no.'

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 49 was adopted and H.B. No. 1664, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN GOVERNORS UNIVERSITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ige, M., Slom).

Conf. Com. Rep. No. 50 (H.B. No. 417, H.D. 3, S.D. 1, C.D. 1):

Senator Sakamoto moved that Conf. Com. Rep. No. 50 be adopted and H.B. No. 417, H.D. 3, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Taniguchi.

Senator Slom rose in opposition to the measure as follows:

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

"Again, as I spoke earlier about this bill, very previously I should say, it takes money from the Hawaii fuel tax fund to provide for the trails, and I'm afraid that what's going to happen is what we've seen during this legislative session, we put money into one special fund and then later on take it and put it in the general fund. So I think that the two are unrelated here and I'm voting 'no.'

"Thank you."

Senator Sakamoto rose to support the measure as follows:

"Mr. President, I'd like to speak in support.

"The amount given to the trail and access program (Na Ala Hele program) is an estimate of the of the road fuel that's used or consumed off the road and this is a very good program and this amount goes to a very good cause, Mr. President."

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'll be voting 'no' also. I have been. We've set a precedent before. We've allowed the recreational boats to use it. Now, we're saying for the trails. Later on we'll have another group. We've already set that precedent. We're using

the fuel tax and I don't believe that's what we really should be doing.

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 417, H.D. 3, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 106 (H.B. No. 1732, H.D. 2, S.D. 1, C.D. 1):

Senator Iwase moved that Conf. Com. Rep. No. 106 be adopted and H.B. No. 1732, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Solomon.

Senator Slom rose to speak against the bill and stated:

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

"The bill is for increasing fees, recording fees, in probably the department that is known as the slowest and hardest to work with, the Bureau of Conveyances, for equipment modernization. Correct me if I'm wrong, Mr. President, but just a couple of years ago fees were raised substantially for equipment modernization. I don't know how much more modern we can become at that department but I do know that the money the last time around was used for personnel costs and not for equipment. I don't want to see that again. I'd like to see the department audited. I'm voting 'no.'

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 106 was adopted and H.B. No. 1732, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Slom).

Conf. Com. Rep. No. 111 (H.B. No. 147, H.D. 1, S.D. 1, C.D. 1):

Senator Chun Oakland moved that Conf. Com. Rep. No. 111 be adopted and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kanno.

Senator Sakamoto supported the measure as follows:

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

"This bill establishes a joint legislative committee to develop a sound financial plan to address the long-term care needs of the people of Hawaii.

"Statistics have shown that we are currently unable to meet the existing long-term and elderly care needs of Hawaii's families. Those demands will continue to grow in overwhelming proportions. If we do not develop a comprehensive plan, we have a problem. We currently have a problem but hopefully this will help resolve some of the problems.

"With many of our young people forced to live on the mainland due to lack of job opportunities here in Hawaii, who will take care of the old folks? Who'll drive grandma to the market? Who will take Apo to the doctor? Who will live with 'oba-chan' and talk story, just be there? Who will feed 'tutu'

when she is no longer able to feed herself? This bill is the first step in developing a variety of programs and services that can be designed to enhance the quality of life for our elderly, while reducing the cost for their families in this state.

"So I am please to support this measure and hope to be part of the solution, Mr. President.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 111 was adopted and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 114 (H.B. No. 1781, S.D. 1, C.D. 1):

On motion by Senator Fernandes Salling, seconded by Senator McCartney and carried, Conf. Com. Rep. No. 114 was adopted and H.B. No. 1781, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 116 (H.B. No. 2207, H.D. 2, S.D. 1, C.D. 1):

Senator Iwase moved that Conf. Com. Rep. No. 116 be adopted and H.B. No. 2207, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Solomon.

Senator Solomon rose in support of the measure and stated:

"Mr. President, I'm rising to speak in support of the bill.

"Mr. President, after numerous Conference Committee meetings and several drafts, the final version of this significant measure moves us forward in the quest for a fair and reasonable resolution of this issue that will affect Hawaiians for generations to come. This bill provides a comprehensive inventory of all lands currently subject to section 5(f) of the Admission Act. For the first time, Mr. President, we will all know where these lands are and how they are being used.

"This bill also provides an open process to study and make recommendations on issues relating to the public land trust, including whether land should be transferred to the Office of Hawaiian Affairs in partial or full satisfaction of obligations under Article 12, Section 6, of the Hawaii Constitution. This act helps to stabilize the Office of Hawaiian Affairs' revenues from its pro rata portion of the public land trust for the interim period, fiscal year 1997-1998, fiscal year 1998-1999, at \$15.1 million for each fiscal year. Also Mr. President, this bill preserves portions of Chapter 10, HRS, which were enacted in 1990 with Act 304.

"Although, of course, Mr. President, we all remain concerned about the unresolved issues of landing fees held in escrow by the state and the interlock filed by the state against Judge Daniel Heely's decision regarding the ceded lands revenues, I'm hoping that we all will support this bill.

"Mr. President, I also rise on a point of personal privilege to express concerns that I have. And this is, Mr. President, on how leadership handled this important piece of legislation during the period that we were negotiating these bills. Mr. President, in all my years serving in the State Senate -- in '98 I'll be up for reelection and I will have served in this body for 16 years -- I was so grieved when I felt that the leadership, Mr.



President, was back-dooring your committee chairmen who really were given the lead on this piece of legislation. I'm hoping, Mr. President, that these kinds of critical matters will be taken seriously by you and those who are in our Majority leadership to try to rectify the kinds of concerns that were expressed today on the floor not only in conjunction with this bill, Mr. President, but in other previous legislation that we had discussed.

"It grieves me so when I hear the Minority Leader reiterate several times, questioning you as our President, as to whether or not a committee report is valid, whether or not a committee report is necessary, when in fact, Mr. President, it's the committee report of this piece of legislation that expresses the legislative intent. It's the committee report that stated the compromise that was the focal point of our negotiations. And Mr. President, I've never ever heard once, I may be wrong here, where a committee report doesn't matter.

"These are the kinds of things, Mr. President, that I find very troubling. I feel that leadership should get their act together. I feel that both of our Majority Leaders should start communicating with each other and with the Minority, and they should have a clear understanding of their plan of action when it comes to these kinds of critical negotiations.

"And with that, Mr. President, I'm asking again for all of my colleagues to see their way clear to support this bill. Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 116 was adopted and H.B. No. 2207, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fukunaga, Ige, D.).

Conf. Com. Rep. No. 121 (S.B. No. 1618, H.D. 2, C.D. 1):

On motion by Senator Sakamoto, seconded by Senator Fernandes Salling and carried, Conf. Com. Rep. No. 121 was adopted and S.B. No. 1618, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 123 (S.B. No. 1919, S.D. 1, H.D. 2, C.D. 1):

Senator Fukunaga moved that Conf. Com. Rep. No. 123 be adopted and S.B. No. 1919, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fernandes Salling.

Senator Iwase rose in opposition and said:

"Mr. President, as I have been in the past on this bill I will be voting 'no' because it includes .... I do not object to the fact that, in fact I would encourage that the legislative body open ourselves up to public scrutiny with public access. But this is a \$1.5 million appropriation for the Legislature for its computers, and I don't think we need those. There are places elsewhere in this state that need money for computers or other kinds of equipment. This comes out of general funds. So I will be voting 'no,' again, Mr. President.

"In the Beatles' White album there is a song in there that is the anthem for this bill for the Legislature.

"Thank you."

Senator Slom also rose to speak against the measure as follows:

"Mr. President, I also will be voting 'no' for reasons just given by the gentleman from Mililani, but also because of this question of public access.

"Now, I know, Mr. President, that we are very ecumenical and very sensitive here in the Senate body, as have been demonstrated many times, but I understand that over in that body across the hallway there that they actually throw people off the floor and they deny them public access in the public access, publicly supported, taxpayer paid for legislative broadcast. So I'm scared, Mr. President. I don't want to see that money used if we're not going to be ecumenical on both sides of the aisle.

"So thank you very much."

Senator Anderson rose to speak against the bill as follows:

"Mr. President, I'll be voting 'no.'

"I can agree with the others but reports that we've got ... a lot of it is more on the dollars that we're spending -- appropriating \$75,000 in general funds, for instance, in 1997-98 for providing neighbor island community access stations, another \$175,000 general funds, 1997-98 for legislative broadcasting programs, and appropriating \$1,500,000 in general funds in 1997-98 for replacing the existing legislative information system. That's a lot of money that we're putting out for things that could go elsewhere since we're cutting back so much.

"But if in fact this is a public service or it's going to be something that is good for the legislators, I believe it's for a legislative wrap-up, it would be used more for the party with chairmen rather than any from the Minority. We don't have the ability to be chairmen. We do a hell of a lot of wrap-ups, but I don't think that we would be able to use the public access for that.

"So for those reasons, the cost, and for the reasons of utilizing the services, I will be voting 'no,' Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 123 was adopted and S.B. No. 1919, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Aki, Anderson, Ige, M., Iwase, Sakamoto, Slom, Solomon, Tanaka).

Conf. Com. Rep. No. 143 (H.B. No. 1829, H.D. 3, S.D. 2, C.D. 1):

On motion by Senator Metcalf, seconded by Senator Levin and carried, Conf. Com. Rep. No. 143 was adopted and H.B. No. 1829, H.D. 3, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling, Levin)

Conf. Com. Rep. No. 147 (H.B. No. 1701, H.D. 2, S.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 147 be adopted and H.B. No. 1701, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Tanaka.

Senator Kanno rose to support the measure as follows:

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

"I'd like to begin by expressing my sincere appreciation to the Senate chairs who have worked on this measure.

"Three years ago when the federal government identified the Barbers Point Naval Air Station for closure as part of the Base Realignment and Closure Act, there was considerable concern in the community. In the federal legislation, the BRAC law, the role of the community is key in the future redevelopment of these bases that are being closed across the country.

"Over the past three years there have been ongoing meetings of the Barbers Point Reuse Committee and later the Barbers Point Redevelopment Commission. At the last meeting of the Barbers Point Redevelopment Commission, there was a vote as to how the future discussions should proceed. This bill creates a local reuse authority to take over management of the base when it closes in 1999. The vote at the last Barbers Point Redevelopment Commission was a unanimous vote in support of a balanced approach, balancing the interest of the state, the City and County of Honolulu and the community.

"I express my appreciation to the chairs because they were especially sensitive to requests from community members who've asked for consideration of amendments and the chairs have included in this C.D. 1 a considerable role for the community in the upcoming discussions. I especially appreciate that the chairs have included here before us language that says that the appointing bodies, the governor, the mayor, the city council, shall take into account the experience and the resource represented by the individuals who have served over the past three years, many of them volunteering their time to learn about the issue to express the needs and concerns of the community as the discussions go forward.

"The chairs have also included in the C.D. 1 a requirement for an annual report to the Legislature and they specifically expressed the desire that this report shall include specific mention of the role to which the community has been involved in the discussions.

"There is one concern and this is the reason that I'm voting with reservations. There is language in here that may be inadvertent, but the language in the bill excludes from the commission's jurisdiction lands that shall be used for the airport complex and the Department of Hawaiian Home Lands. After some discussion with a number of the parties, there is a willingness expressed to look at this issue over the coming year and quite possibly next session revisit the issue. We will at that time have in our hands a report from this entity and will be able to take further action in the 1998 session.

"I'd like to once again express my appreciation to the chairs for their support and I will be voting with reservations.

"Thank you."

Senator Slom then sat:

"With reservations, please, Mr. President."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 147 was adopted and H.B. No. 1701, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 153 (H.B. No. 1582, H.D. 2, S.D. 1, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 153 be adopted and H.B. No. 1582, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Slom rose to speak against the measure and said:

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

"While there are several legitimate claims that the state pays every year, I think that many times we are looked at as 'deep pockets' and a 'patsy,' and for those people who don't have the time to go to Las Vegas they find that this is an easy way of getting payment. We're spending \$6.2 million in claims and many of these claims are unjustified. I think that what we should do is remember that the money is not ours. The money is the taxpayers, and we should be much more vigilant with it.

Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 153 was adopted and H.B. No. 1582, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson, Slom). Excused, 2 (Ihara, Levin).

Conf. Com. Rep. No. 156 (H.B. No. 1393, H.D. 1, S.D. 2, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 156 be adopted and H.B. No. 1393, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom spoke against the measure and said:

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

"I do so with a heavy heart. Some of my best friends are attorneys and some of them grow up to be judges. And I made statements earlier at a previous session that I would be very happy to drive to the airport those justices that are not getting paid enough in our state. I note that they are going to get a 4 percent increase for three years; that's 12 percent. That's 12 percent more than most private employees have gotten. It's also more than a number of public employees have gotten.

"In addition to that I don't do this lightly, Mr. President, because I have been threatened. I hate to mention this, but I have been threatened that if I vote 'no' against this again I will not get any Democratic ice cream at the end of this session. (Laughter.) So it is really tough, but I'm still going to cast a 'no' vote. I think that the public deserves better and I think that if everybody is going to tighten their belts that means our justices too.

"Thank you, Mr. President."

Senator Tam rose in opposition to the measure and said:

"Mr. President, I wish to register a 'no' vote on this bill.

"As previously stated in previous votes I'm voting 'no' because it's an inappropriate time when we have a sluggish economy right now. We should take care of direct services funding, our first priority for the people of the State of Hawaii. No executives should be receiving raises at this time, whether it

be in terms of the Legislature, administration or judges, the third branch of government.

"Thank you."

Senator Iwase requested a conflict ruling as follows:

"Mr. President, the last time you had ruled 'no conflict.' Would that ruling continue?"

The Chair ruled that Senator Iwase was not in conflict.

Senator Anderson then said:

"Would you put me down with reservations on this particular measure."

The Chair so ordered.

The motion was put by the Chair and carried, Conf. Com. Rep. No. 156 was adopted and H.B. No. 1393, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES IN THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Slom, Tam). Excused, 1 (Levin).

Conf. Com. Rep. No. 157 (H.B. No. 1539, S.D. 1, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, Conf. Com. Rep. No. 157 was adopted and H.B. No. 1539, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH CORRECTIONAL FACILITIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 158 (H.B. No. 1587, H.D. 1, S.D. 2, C.D. 1):

Senator Chumbley moved that Conf. Com. Rep. No. 158 be adopted and H.B. No. 1587, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Anderson rose to speak against the measure and said:

"Very briefly, Mr. President, and I'll be going 'no' on this measure.

"As stated before, this particular program is self-sufficient. It's costing them \$150,000 a year. They're taking in over \$200,000. All of a sudden they are going to require every six years that we get a new state ID and also they might need some new cameras. Consequently, if a program is efficient, running well, I don't believe that we should go ahead and allow them to charge more so that they can go ahead and get a new state identification card.

"Thank you very much."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 158 was adopted and H.B. No. 1587, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 4:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:31 o'clock p.m.

At this time, Senator Metcalf rose on a point of personal privilege as follows:

"Mr. President, on a point of personal privilege.

"I've learned that there are inherent risks in calling for a brief recess in the Senate (laughter), and for that I deeply apologize to the members. Thank you." (More laughter.)

Conf. Com. Rep. No. 165 (H.B. No. 1837, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 165 was adopted and H.B. No. 1837, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 166 (H.B. No. 1243, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 166 was adopted and H.B. No. 1243, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Kanno). Excused, 1 (Bunda).

### THIRD READING

Stand. Com. Rep. No. 1806 (H.B. No. 816, H.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1806 be adopted and H.B. No. 816, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto, supporting the measure, then said:

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

"Mr. President, this bill is to 'grandfather' military veterans who entered the state retirement system in anticipation of being vested after 8 years could get military credit. Last year we made a mistake. We forgot about the military veterans and repealed this benefit. This bill attempts to rectify this make and putting to ease some of the concerns and fears our honored military veterans experienced over the last year.

"Therefore, Mr. President, I urge all to vote 'aye' on this bill."

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1806 was adopted and H.B. No. 816, H.D. 2, 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 (Bunda).

Stand. Com. Rep. No. 1807 (H.B. No. 1463, H.D. 2):

Senator Fernandes Salling moved that Stand. Com. Rep. No. 1807 be adopted and H.B. No. 1463, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Fukunaga.

Senator Kawamoto spoke in favor of the bill as follows:

"Mr. President, as a person from God's country who has over half of the care homes in the state, these people have not received an increase in payment since 1989. And I hope that they will still be there when I, maybe, have to go to one of these care homes. So I urge all my colleagues to vote 'aye' on this bill.

"Thank you very much." (Laughter.)

The motion was then put by the Chair and carried, Stand. Com. Rep. No. 1807 was adopted and H.B. No. 1463, H.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, 25. Noes, none.

### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

#### FINAL READING

Conf. Com. Rep. No. 88 (S.B. No. 870, S.D. 2, H.D. 2, C.D. 1):

Senator Kawamoto moved that Conf. Com. Rep. No. 88 be adopted and S.B. No. 870, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Matsunaga.

Senator Kawamoto rose to support the measure and stated:

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

"Mr. President, this bill is 13 years in the making. They are now celebrating in the House. What this bill is ... and the issue is safety and saving young people's lives. This bill calls for the prohibition of people under the age of 13 from riding in the back of a pickup truck.

"The back of the pickup truck is meant for hauling cargo and not people. We are in the midst of a situation where some of our neighbor island colleagues feel as though they have to back up their residents, but let me remind them that we did not have any testimony against this bill during the process of this bill in full hearings. In fact, we had many testimonies from Kona and Lahaina and fax and petitions in support of this bill.

"So again, I'd like to thank the leadership for helping us come to the table and have a conference draft whereby we all can live with. Therefore, this is a good starting point. We hope that this bill will be an education to all the people that ride in pickup trucks that riding in the back of pickup trucks is unsafe. And we hope that by prohibiting children 12 and under from riding the pickup trucks that this process will proceed.

"I urge all my colleagues to vote 'aye' on this bill. Thank you."

Senator Baker spoke against the bill as follows:

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

"Mr. President, in an ideal world I would agree that the back of a pickup truck is not the place for someone to ride. It is, in fact, for hauling cargo. But we don't live in an ideal world and there are a lot of folks on Molokai, Lanai and Maui that have only one vehicle and that vehicle is a pickup truck. They have families. They have no way to move their families from point A to point B without utilizing the only vehicle at their disposal. We don't have public busses on those islands. Our residents have no options. It is for those reasons that I am compelled to vote 'no' on this measure.

"Thank you."

Senator Chumbley opposed the measure and said:

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

"In rising in opposition to this measure, it is not in disregard to the issue of the safety of our children throughout the state. It is in the concerns of the thousands of families throughout the neighbor islands and the rural areas of Oahu who will be made criminals under this measure.

"Mr. President, where is the enforcement of the existing laws by the police departments throughout our state. No operator of any pickup truck shall operate the vehicle with the passenger seated in the bed or the load carrying area of the vehicle unless there is no seating available in the cab.

"Where is the obligation and where is the responsibility of the parents for their own child's safety? How will this measure be enforced? Will all minors be required to wear name badges that show their age, similar to the time share people now?

"I and many of the neighbor island legislators would have supported this measure, and I did as it passed out of the Judiciary Committee originally. But we would have supported this measure if it would have allowed the counties the opportunity to opt in. By opting in, the counties could have chosen stricter regulations than just 12 years old. I realize that the measure will pass both the Senate and the House, but these concerns must be brought forward.

"Although the bill may keep children under 12 somewhat safer, it will harm families who can least afford it. And as the distinguished Senator from Waipahu said earlier in the day, Mr. President, this is a 'feel good' bill that will not result in the actions that we want for the safety of our children.

"Thank you."

Senator Sakamoto rose to support the measure and stated:

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

"I understand some of the concerns from the Senators from Maui and some of the concerns are valid. In testimony, several testifiers did mention, though, that in inclement weather or rainy weather they didn't see anybody in the back of pickup trucks, so people do have alternate means.

"And it is not just a 'feel good' measure. This is a safety measure that makes a lot of sense. If you look at it, nobody could put a baby who's less than 1 year old in the back, and certainly you wouldn't put someone less than 2 years old in the back. And there's a point where it's safety for the individuals as well as planning ahead and let's hope that families with one vehicle can make accommodations in the meantime, and groups when they need to transport students or ball teams can plan ahead and get there safely.

"Thank you, Mr. President."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 88 was adopted and S.B. No. 870, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PICKUP TRUCKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Baker, Chumbley, Fernandes Salling, Levin, Solomon, Tanaka).

Com. Rep. No. 100 (S.B. No. 927, S.D. 1, H.D. 2, C.D. 1):

Senator Fernandes Salling moved that Conf. Com. Rep. No. 100 be adopted and S.B. No. 927, S.D. 1, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Fukunaga.

Senator Slom, rising in opposition to the measure, then said:

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

"While I'm not a smoker and don't condone smoking, I also don't condone continuous tax increases. They will harm the general public and unfortunately it will harm some of our Senate members who will have to pay more for their cigarettes, so I'm voting 'no.'"

Senator Anderson also rose to oppose the bill as follows:

"I, too, will be voting 'no,' but I'd also like to just say another thing that everybody more or less states that this is going to help prevent children from smoking. We found nothing that prevents them to do so in the bill.

"When it came into conference they also spoke about getting more tax dollars and then they said that they were trying to make sure that they got people to quit smoking. So either we're trying to get tax dollars, trying to get children to stop smoking, or what are we really trying to do with this particular bill. And the only thing that I can think of is more taxes. So consequently, I will also be voting 'no.'"

The motion was put by the Chair and carried, Conf. Com. Rep. No. 100 was adopted and S.B. No. 927, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Aki, Anderson, Bunda, Kawamoto, Slom, Solomon, Tam, Tanaka).

Conf. Com. Rep. No. 128 (S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1):

Senator Taniguchi moved that Conf. Com. Rep. No. 128 and S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Tanaka.

Senator Taniguchi then noted:

"Mr. President, Senator Tanaka and I are requesting recommitment of this bill because concerns have been raised about the application of the language in section 2. If this bill is passed in its current form, there will be over-reliance on the rules of other jurisdictions to draft the rules for community use.

"Mention of drafting rules applicable to the specifics of our own convention center was also inadvertently left out of the bill. I believe a recommitment is appropriate because we can address this matter over the interim and come up with something better next year."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 128 and S.B. No. 1891, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 164 (H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 164 and H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1, was deferred to later in the calendar.

Conf. Com. Rep. No. 137 (H.B. No. 258, S.D. 2, C.D. 1):

On motion by Senator Taniguchi, seconded by Senator Tanaka and carried, Conf. Com. Rep. No. 137 was adopted and H.B. No. 258, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Iwase, Solomon).

At 5:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:52 o'clock p.m.

Senator Levin rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"I want to apologize to my colleagues and incorporate the remarks of the Senator from Hilo as if they were my own. Thank you." (Laughter.)

### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

#### FINAL READING

Conf. Com. Rep. No. 164 (H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Levin, seconded by Senator Metcalf and carried, Conf. Com. Rep. No. 164 was adopted and H.B. No. 1292, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 3 (Iwase, Solomon, Taniguchi). Excused, 3 (Bunda, Fernandes Salling, Ige, M.).

At this time, by order of the President, the following proclamation was read by the Clerk and was placed on file:

#### "PROCLAMATION

We, Norman Mizuguchi, President of the Senate, and Joseph M. Souki, Speaker of the House of Representatives, of the Nineteenth Legislature of the State of Hawaii pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1997 of the Nineteenth Legislature of the State of Hawaii for a period of One Day beyond the Sixtieth day of the 1997 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/s/ Norman Mizuguchi  
Norman Mizuguchi  
President of the Senate

/s/ Joseph M. Souki  
Joseph M. Souki  
Speaker of the House  
of Representatives"

#### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 279) was read by the Clerk and was disposed of as follows:

Senate Concurrent Resolution

No. 279 "SENATE CONCURRENT RESOLUTION DECLARING APRIL 30, 1997, A RECESS DAY OF THE NINETEENTH LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 1997."

Offered by: Senators McCartney, Ihara.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.C.R. No. 279 was adopted.

### CONFERENCE COMMITTEE REPORT

Senator Baker, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 100, H.D. 1, presented a report (Conf. Com. Rep. No. 171) recommending that H.B. No. 100, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 171 and H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," was deferred for a period of 48 hours.

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, on the extension, I've been opposed to it. I think we could have done it within our own time, and we failed.

"I think, also, since this was going to be our last day, I'd like to point out that we did not pass 'Truth in Sentencing.' I believe that to be very important. When we ran for reelection, crime was No. 1, and yet when we went into conference we had to fight in 'Truth in Sentencing' which would have made it 85 percent of the time of their sentencing that they would have to stay in prison. I think this is very, very important.

"If in fact, you're married and had your wife pregnant and you lived in a one-bedroom cottage and you happen to have triplets, you couldn't say we weren't prepared for this so consequently we're going to send them back. You would have to provide. So to say that you do not have prison space does not make that right. You have to make the pressure on us. So 'Truth in Sentencing' should have never gone down just because we did not have enough prison space.

"I don't believe that committee voting in public has been advantageous to us. It's been a hindrance. And the reason it has been is because when you do not pass a piece of legislation because you do not have a quorum, the bills pile up because you need a quorum in order to pass anything. Consequently, we have lots of bills on a chairman's desk and we don't know what's in those amendments. And when I vote 'w/r' everybody laughs, but one piece of legislation everybody says, oh, I haven't had time to really look at this; I haven't had time to digest. So the public really is not being served when we say we have to go ahead and vote in public in committee.

"I'm from the old school. I like to read something, and I understand that's the problem, that they didn't trust the chairman before. They said they could twist arms. Well let me tell you, if you're that weak, then you should not be here because if you have a document and you disagree with it, then you vote 'no.' If you have some slight reservations with it, you vote your conscience and go 'with reservations.'

"And last but not least, Mr. President, the dual chairmanship -- I don't think has worked. It has been cumbersome for us, for the lobbyists. I don't think that it's something that we should continue with. I read in the paper where everybody said it's going to work, but since this was supposed to be our last day I thought I would throw those comments out to everybody. And there goes one of the dual chairmen.

"Thank you very much, Mr. President."

Senator Matsunaga rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"I ask my colleagues to please bear with me. This is a very important subject. I think it will address some of the Minority Leader's remarks and also I think I'm the only Senator that hasn't asked for a short recess, yet.

"Mr. President, according to a recent Hawaii Poll, crime was the most frequently mentioned issue of concern to Hawaii voters. We are all aware that the alarmingly high property crime rate and steadily rising violent crime rate threaten the public safety and welfare of our Island State. And we are all aware that our first responsibility of government is law and order. Hawaii's citizens deserve a criminal justice system in which criminals are caught, the guilty are convicted, and the convicted serve their time. Obviously, the best way to fight crime is to prevent it. That is why this body has always supported drug education and gang prevention programs in our schools and other youth programs to provide young people with a safe and healthy alternative to hanging out on the streets.

"This year, the Senate Judiciary Committee has put much effort in crafting a comprehensive crime package which addresses the many issues identified by the Senate Majority at the beginning of this session as those which are critical to public safety. As co-chair of the Judiciary Committee, I would like to thank my colleagues and especially my Judiciary co-chair for supporting the package, which contained some thirty bills.

"In fact, I am pleased to report that 99 percent of the Senate's package was sent over to the House. Crucial issues such as Meagan's law, domestic violence and sexual assault, juvenile justice, drug manufacturing and abuse, driving under the influence, property crimes, crimes against tourists, and kidnapping were all addressed through measures which established sound policy regarding criminal sanctions.

"We are particularly proud of the measures relating to sex offender registration, the manufacture of ice, date rape drugs, implied consent and driving under the influence, all of which survived conference committee with much of the Senate language intact. We are also satisfied with the juvenile waiver and records measures which included all, and most of the Senate language, respectively. Nothing we do to fight crime is more important than fighting crime and violence that threatens our children. We have to protect them from criminals who prey on them -- and we have to teach them good values and give them something to say yes to. At the same time, when young people commit crimes, they should be prosecuted; when they commit serious violent crimes, they should be prosecuted and treated like adults.

"Mr. President, unfortunately, only a fraction of the Senate crime package survived conference committee. For example, while the Senate's comprehensive eight-measure package on domestic violence and sexual assault focused on holding perpetrators more accountable for their abusive acts by not allowing the expungement of records or informal adjustment, etc., only three of these bills were approved by the House. We hope that the House believes as we do ... that nothing is a more dangerous threat to the safety of our families than domestic violence, because it is a threat from within. Mr. President, we also hope that the House agrees that domestic violence is a crime to be punished, not a family secret to be concealed.

"Perhaps, our biggest disappointment, however, is the fact that our flagship bill on criminal sentencing reform was not agreed upon in conference. As many of you know, the Senate's 'Truth-in-Sentencing' bill, which would have required felons to serve at least 85 percent of their sentences before being considered for parole, was amended by the House in a manner that simply was not acceptable.

"While we would have loved to agree with the House version, we could not in good conscience support a draft which provides enhanced sentencing for only a very limited number of

offenses and that does so in a very, very arbitrary manner. The House version would have excluded violent crimes such as sexual assault in the second degree, an offense which includes statutory rape. It would have also excluded many other serious and potentially violent felonies such as arson, kidnapping, and incest. Further, statistics provided from the Paroling Authority revealed that offenders of these aforementioned crimes, served an average of less than 50 percent of their sentences.

"Mr. President, just to give you an example of how inconsistent the House version was on truth-in-sentencing -- if someone were to walk up to your car and reach inside your car and steal a purse or something from that car, they would have been subject to the House's truth-in-sentencing; at the same time, if somebody walked up to your car and kidnapped your daughter and raped her, they would not have been subject to truth-in-sentencing under the House's version. Mr. President, if somebody came up to your house and stole your car, they would have been subject to the House's truth-in-sentencing; if someone came up to your house and fire bombed your house, they would not have been subject to the truth-in-sentencing under the House's version.

"In addition, the House version provided for a 'phase-in' application of truth-in-sentencing to certain property crimes in the year 2000. While the House defended their position as a 'methodical' approach to sentencing reform, the Senate could not support a provision which did not include property crimes such as larceny-theft, an offense which comprises 75 percent of all property crimes in our state. This piecemeal attempt by the House failed to address the community's greatest concerns and thereby does nothing to garner public confidence in our criminal justice system.

"The Senate and the House did agree that the issue of prison space was a key factor in determining how sentencing reform could be accomplished. Yet even Keith Kaneshiro testified before the Senate Judiciary Committee that public safety policy should not be crafted based on available bed space. Further, it must be made clear that the Senate Judiciary Committee provided the House with a compromise position which would have utilized a majority of the House draft provisions, and which would have also addressed the House's concerns. The Senate based its proposed conference draft on the projections made by the Department of Public Safety which concluded that even the original Senate version -- even the original Senate version -- could be accommodated if the Department received its request for adequate prison bed space, which it did. The proposed C.D. 1 also contained language from H.B. No. 1087, regarding the sentencing of misdemeanants and petty misdemeanants, a bill for which the House advocated strongly.

"The Senate's position was to establish a policy which dealt with felons comprehensively, without making a statement to offenders that only certain types of crimes were serious enough to warrant 85 percent sentencing. The Senate had the support of the Department of Public Safety, the agency that is responsible for housing these convicts. Equally important, the entire law enforcement coalition, which includes the Department of the Attorney General, the four County Chiefs of Police and the four County Prosecutors, wholeheartedly supported the original Senate version of the measure (I would like to insert the coalition's testimony supporting our version of the measure into the Journal). Most importantly, the Senate had the support of the many community watch and neighborhood boards which testified vigorously for a comprehensive truth-in-sentencing measure.

"In conference, however, the House curiously seemed to withdraw from its original position. The House Judiciary's original conference position was that philosophically they agreed with the Senate that truth-in-sentencing was a necessary measure and that if the Senate could prove that DPS would receive the bed space money, they would support our version. Representatives from DPS provided the projections which the Senate accepted wholeheartedly, given that the Department has

been studying the potential correctional impact of truth-in-sentencing for the last six months, it made a lot of sense.

"Yet the House not only rejected these figures, but proposed their own conference draft which merely provided that DPS conduct a study on truth-in-sentencing and on the possibility of privatization of a prison on the Big Island. While the House continued to criticize the Senate for being financially irresponsible, ironically nowhere in these conference discussions did they explain how the study would be funded.

"Mr. President, we hope that the House will reconsider its position with respect to this and the many other crucial crime measures which can and should be passed next session. During the interim, we will continue to research and craft legislation which addresses the need for sound policy regarding: juvenile justice reform, the distribution and possession of dangerous drugs, crimes against tourists and other issues which remain a priority for the Senate Judiciary Committee.

"On behalf of the Senate Judiciary, I would like to thank my colleagues for your commitment to public safety, and I would especially like to thank the other Senate committees with which we collaborated regarding the crime package, in particular, the Ways and Means, Transportation and Intergovernmental Affairs, and Health and Environment Committees.

"Thank you, Mr. President."

The Chair having so ordered, the attachment of the law enforcement coalition's testimony is identified as ATTACHMENT "I".

Senator Chumbley also rose on a point of personal privilege as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, I'd like to also commend my co-chair for all the effort and guidance that he gave me this year and all the committee members on the Judiciary and to all the members of the Senate. I think we can be very proud of the crime package that we passed. And Mr. President, if you could please order the Clerk to insert the words of the distinguished Senator from Palolo into the Journal as if they were my own. (The Chair so ordered.)

"And one last announcement, Mr. President. During the interim I've been studying my Black's Law Dictionary and I will be taking the bar exam.

"Thank you." (Laughter.)

Senator Anderson rose again and stated:

"Mr. President, just for a point of clarification. The reason that I brought up that particular bill is because, as you well heard, you did hear everybody in a very attorney-like fashion. The arguments that went back and forth with the House was strictly on details on how and why we cannot do certain things. I think common sense has got to come to the Legislature.

"To sit there and argue on fine points of law when crime is up and then to have the House committee turn around and say, well we have to study this because we don't have bed space. And then they're trying to argue on what's a felony, what's a misdemeanor. I don't really care as an individual. I believe that if a person goes to jail for rape or for whatever charges, they should serve 85 percent of their time. That was the reason for that bill. And to come out with all the technicalities on why we cannot pass it and then to say bed-space and another study, does not satisfy the people in the community. It's 'shibai' to sit here and say we tried everything.

"I don't know the reason why we cannot have an attorney that we hire to come in and say, hey, this is what we need. We

need more people fighting for what the community is looking for, not to sit down and say, well, the courts can take care of this; we're going to leave that for later on; we don't need this right now. I'm not an attorney and when I do need one, I don't mind going to get one because they do have the expertise. But if I want to get around a law, I'll ask them: 'This is what the book says; how do we get around that so we can accomplish what we need to do?'

"And that's what my two colleagues in the Senate ... and I really appreciate what you've done. But when I went to the Conference Committee to hear the arguments on the other side and we had to cave in, it really bothered me and disturbed me as well as the rest of the taxpayers, I'm sure.

"Thank you very much, Mr. President."

Senator Chun Oakland, rising on a point of personal privilege, then said:

"Mr. President, may I rise on a point of personal privilege?"

"The 1997 Legislature made some significant efforts to improve the quality of life for children, seniors, and families in our state that are worth mentioning. I know there is much more to achieve, but I do want to highlight some of the good legislation and work accomplished this year.

"We have upgraded payments to adult residential care home operators who provide 24-hour care to our seniors and disabled in the community. This increase is long overdue. We expanded the number of home and community-based waivers which will allow more people in nursing care facilities to live in quality, more affordable community settings.

"We lifted the 24 month time limit on persons who are disabled and in need of general assistance and restored the funding level to the original executive budget request for this program.

"We have established special and trust funds to increase financial support from the federal government and private sector, in addition to our state funds, for early intervention services for children living in high-risk environments or born with disabilities. These funds will be used for programs, like the nationally recognized Healthy Start Program and Zero-to-Three Project. This will help reduce the increasing demand for more costly care by children in their later years who do not get early intervention services.

"We have provided greater immunity to schools that allow youth programs to take place on their campuses during non-school hours increasing the opportunities that provide wholesome and challenging alternatives for our youth before and after school.

"We have supported welfare-to-work opportunities through the creation of grant diversion programs, microenterprise initiatives and community work programs for families with dependent children.

"We have taken steps to strengthen child support enforcement efforts that will better insure financial support for our keikis.

"We have approved a public/private partnership, called the Good Beginnings Alliance, that will focus on creating a very comprehensive early childhood education and care system in our state.

"We have increased the repair and maintenance funds for schools and other state facilities from \$70 million to over \$100 million for the next two years, which will help address the large backlog of repair and maintenance requests by schools to improve their facilities. This infusion of funds will also

provide increased opportunities for our small businesses to competitively bid for these projects.

"We are able to fund the collective bargaining agreements reached this year to support our public employees and their diligent efforts to provide much needed services to the people of this state.

"We have also passed a measure that will allow the Employees' Retirement System fund to keep its excess earnings and responsibly begin to address the \$1.6 billion unfunded liability concern that we have had for many years. This measure will begin to address the increasing costs of government by allowing the ERS to become self-sufficient over time.

"We have put forth legislation to address the public's requests regarding legislators' high-three pension, motor vehicle insurance and same gender marriage.

"There is much more work to be done. During the legislative interim, effort will be put into issues including long-term care, workers' compensation, welfare reform, early childhood education and care, youth programs, Health Quest and other areas that affect thousands of people in our state.

"Thank you, Mr. President, my fellow colleagues in the Senate, my co-chair Senator Kanno and our Human Resources Committee, House members, staff and the community at large for working together on these very important issues."

#### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 538, S.D. 3, H.D. 1:

Senator Tam moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 538, S.D. 3, seconded by Senator Aki and carried.

Senator Tam moved that the Senate agree to the amendments proposed by the House to S.B. No. 538, S.D. 3, seconded by Senator Aki.

Senator Tam noted:

"Mr. President, S.B. No. 538 is in reference to the unfavorable outsourcing in the selection of library books in the Hawaii's Public Libraries. The Senate and the House of Representatives mutually agree upon the intent of the Legislature which is to request the Board of Education to terminate the Baker & Taylor library book contract, and return the selection of library books back to the librarians upon termination of the existing outsourcing of its contract. This is the first step towards banning outsourcing on the selection of library books.

"Also, I have a note here. Representative Stegmaier, chairperson for the House Education Committee, personally called me this morning and promised me that next year's legislation will be strong on one to ban future outsourcing on the selection of library books and all selection of library books in future will be done by librarians.

"Thank you."

The motion was put by the Chair and carried.

Senator Tam then moved that S.B. No. 538, S.D. 3, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Aki.

Senator Tam rose to support the measure as follows:

"Mr. President, fellow colleagues, I rise to speak in favor of S.B. No. 538, Relating to Public Libraries.



"This bill specifically refers to the problem of providing quality, productive and efficient public service on the selection of library books contracted with Baker & Taylor through Bart Kane, the state librarian for the Hawaii Library System. The librarians, statewide, and the library users, also statewide, are dissatisfied with Baker & Taylor's services. The contract is not in the public interest as determined by the Education Committees in the Senate and the House of Representatives.

"In addressing the problem the Education Committees give due respect to the Board of Education for the first opportunity to resolve the problem by terminating the Baker & Taylor contract and whereby our legislation is to restore the rights and legal duties of the public librarians in the selection of library books, the Board of Education wants the first opportunity to resolve the problem. Thus far, we are giving them that opportunity.

"For the record, Mr. Bart Kane and Mr. John Penebacker, assistant to the state librarian, have walked the Capitol halls to kill the legislation. One can only question why are they protecting an anti-public interest outsourcing library book contract and how one would benefit at the expense of the public.

"I sincerely hope that the Board of Education responds to the public's desire to terminate the Baker & Taylor contract in the public's interest. If the Board of Education does not terminate the contract, I will personally request Governor Cayetano to restrict the budgeted funds to pay for the book contract in accordance to the governor's constitutional prowess.

"Fellow Senators, for your information, in H.B. No. 350, the state budget we passed earlier this afternoon, there is appropriated \$250,000 per year of the biennium budget to purchase library books selected through librarians if the Board of Education terminates the Baker & Taylor contract.

"This legislation is a strong message to the Board of Education to address their in-house problems. Otherwise the Legislature or the governor would do it for them as their 'big daddy.'

"The Legislature, next year, will introduce legislation to ban future outsourcing on the selection of library books and all selection of library books in the future to be done by librarians.

"Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 538, S.D. 3, and S.B. No. 538, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, none. Excused, 7 (Bunda, Fernandes Salling, Ige, M., Iwase, Metcalf, Solomon, Tanaka).

S.B. No. 1628, S.D. 2, H.D. 2:

Senator Tam moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1628, S.D. 2, seconded by Senator Aki and carried.

Senator Tam moved that the Senate agree to the amendments proposed by the House to S.B. No. 1628, S.D. 2, seconded by Senator Aki.

Senator Baker rose on a point of information and stated:

"Mr. President, point of information.

"Will the chairman please tell us what S.B. No. 1628 is about."

Senator Tam then said:

"I'm sorry, my apologies. It's been a long day for all of us.

"Senate Bill No. 1628 is in reference to rehiring retired teachers in the Department of Education and specifically what it does is permits the Department of Education to rehire retired teachers on a temporary full-time basis to teach in declared shortage areas. It also specifically specifies that the rehired retired teachers shall not earn retired service credit and contribute to the Retirement System or gain additional retirement System benefits if the rehired teacher continues to receive entitled normal retirement benefits without penalty."

The motion was put by the Chair and carried.

Senator Tam then moved that S.B. No. 1628, S.D. 2, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Aki.

Senator Anderson rose to speak against the measure and said:

"Mr. President, I'll be against the particular bill.

"If I remember correctly, when we allowed the teachers to go out with 25 years of service we didn't say that they had to be of a particular age. I thought it was wrong at that time, then we found out that we had made a mistake and that we were going to have a shortage of teachers. Now, they're coming back and yes they may not get into the Retirement System for any more than they have. And they will not be able to do certain things, but they will be taking up those jobs and they will be receiving their retirement. I think this is wrong.

"We've been trying to get out there to make sure that we provide jobs for people. That was one of the reasons that when they went out I had stated that they were too young. They may have had 25 years in service but they could have been 45 or 50. And I just don't think that it's right that they come back, draw a salary and draw their retirement. This is not what we intended in the first place.

"Thank you very much, Mr. President"

Senator Kanno then said:

"Mr. President, please register my 'aye' vote with reservations."

The Chair so ordered.

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1628, S.D. 2, and S.B. No. 1628, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 5 (Anderson, Chumbley, Fukunaga, Ige, D., Slom). Excused, 7 (Bunda, Fernandes Salling, Ige, M., Iwase, Metcalf, Solomon, Tanaka).

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

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 147, S.D. 1, seconded by Senator Ihara and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 147, S.D. 1, seconded by Senator Ihara.

Senator Fukunaga then explained:

"Mr. President, S.B. No. 147, S.D. 1, H.D. 1, is the bill that I referred to previously in which the House phases in the GET exemption for lease and sub-lease transactions at one-half percent a year for seven years. And that was one of the areas of highest priority in our tax package."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 147, S.D. 1, and S.B. No. 147, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

S.B. No. 623, S.D. 2, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 623, S.D. 2, seconded by Senator Ihara and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 623, S.D. 2, seconded by Senator Ihara.

Senator Fukunaga then noted:

"Mr. President, S.B. No. 623, S.D. 2, H.D. 1, is a bill which allows for the transfer of excess funds from the state highway fund to the general fund -- \$22,559,000 for fiscal '97; \$23.4 million for fiscal year '98; and \$24.2 million for fiscal '99."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 623, S.D. 2, and S.B. No. 623, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 2 (Anderson, Slom). Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

S.B. No. 843, S.D. 1, H.D. 2:

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 843, S.D. 1, seconded by Senator Ihara and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 843, S.D. 1, seconded by Senator Ihara.

Senator Fukunaga explained:

"Mr. President, S.B. No. 843, S.D. 1, H.D. 2, relates to small business taxation, and this was the small business loan guaranty measure. The House amendments specified the businesses qualifying for the credit, as well as clarifying that the credit is allowed in lieu of an income tax deduction, and revised the effective date."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 843, S.D. 1, and S.B. No. 843, S.D. 1,

H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

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

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 938, S.D. 1, seconded by Senator Ihara and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 938, S.D. 1, seconded by Senator Ihara.

Senator Fukunaga noted:

"Mr. President, S.B. No. 938, S.D. 1, H.D. 1, Relating to Non-resident Income Tax' was a relatively minor technical change. The House replaced 'part-time' to 'part-year' in the section heading to make it consistent with the rest of the paragraph."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 938, S.D. 1, and S.B. No. 938, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT INCOME TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

S.B. No. 1018, S.D. 1, H.D. 2:

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1018, S.D. 1, seconded by Senator Ihara and carried.

Senator Fukunaga then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1018, S.D. 1, seconded by Senator Ihara.

Senator Fukunaga then noted:

"Mr. President, S.B. No. 1018, S.D. 1, H.D. 2, was our energy conservation tax credit. The House deleted the Senate provision for an increase in the energy conservation tax credit for solar energy systems from 35 percent to 50 percent. The ten-year provision retains the same amount of 35 percent."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1018, S.D. 1, and S.B. No. 1018, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

S.B. No. 1316, S.D. 2, H.D. 1:

Senator Fukunaga moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments

proposed by the House to S.B. No. 1316, S.D. 2, seconded by Senator Ihara and carried.

Senator Fukunaga moved that the Senate agree to the amendments proposed by the House to S.B. No. 1316, S.D. 2, seconded by Senator Ihara.

Senator Fukunaga then explained:

"Mr. President, the final measure, S.B. No. 1316, S.D.2, H.D. 1, is the internal revenue code conformity bill. The House added two sections that would expand the timely filing and paying rule to allow delivery of a tax return by a private delivery service. The second change was to allow an individual to elect to file a joint income tax return after a separate return was previously filed without full payment of the amount shown as tax on the joint return."

The motion was put by the Chair and carried.

On motion by Senator Fukunaga, seconded by Senator Ihara and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1316, S.D. 2, and S.B. No. 1316, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

S.B. No. 1264, S.D. 1, H.D. 1:

Senator Chumbley moved that the Senate reconsider its action taken on April 10 1997, in disagreeing to the amendments proposed by the House to S.B. No. 1264, S.D. 1, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.B. No. 1264, S.D. 1, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, this measure allows the inclusion of fingerprints of juveniles taken into custody for all law violations rather than just status offenses. The House primarily made technical nonsubstantive changes and we consent to those."

The motion was put by the Chair and carried.

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1264, S.D. 1, and S.B. No. 1264, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

H.B. 1585, H.D. 2:

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral to the Committee on Ways and Means be waived on H.B. 1585, H.D. 2, and the Chair granted the waiver.

Senator Chumbley moved that the Senate reconsider its action taken in adopting Stand. Com. Rep. No. 971, seconded by Senator Matsunaga and carried.

Senator Chumbley then moved that Stand. Com. Rep. No. 971 be received and placed on file, seconded by Senator Matsunaga and carried.

Senator Chumbley moved that H.B. No. 1585, H.D. 2, having been read throughout, pass Third Reading, seconded by Senator Matsunaga.

Senator Chumbley noted:

"Mr. President, H.B. No. 1585, H.D. 2, simply clarifies which state and county agencies and programs are exempt from paying fees for services related to criminal history record information that is maintained by the Hawaii Criminal Justice Data Center."

The motion was put by the Chair and carried, H.B. No. 1585, H.D. 2, 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, 19. Noes, none. Excused, 6 (Bunda, Fernandes Salling, Ige, M., Iwase, Solomon, Tanaka).

#### RECONSIDERATION OF ACTIONS TAKEN AND ADOPTION OF RESOLUTIONS

Senator Fukunaga, for the Committee on Ways and Means, requested that the referral to the Committee on Ways and Means be waived on the following House concurrent resolutions:

H.C.R. No. 210;  
H.C.R. No. 251, H.D. 1; and  
H.C.R. No. 286, H.D. 1,

and the Chair granted the waiver.

H.C.R. No. 210:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1738, seconded by Senator Slom and carried.

Senator Ihara then moved that Stand. Com. Rep. No. 1738 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING AND URGING IMPLEMENTATION OF THE HAZARD MITIGATION PLAN DEVELOPED IN RESPONSE TO THE WAIANAE DISTRICT FLOODING," was adopted.

H.C.R. No. 251, H.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1753, seconded by Senator Slom and carried.

Senator Ihara moved that Stand. Com. Rep. No. 1753 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Slom and carried, H.C.R. No. 251, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN OUTRIGGER CANOE PADDLING PILOT PROJECT FOR HAWAII'S SECONDARY SCHOOLS," was adopted.

H.C.R. No. 286, H.D. 1:

Senator Ihara moved that the Senate reconsider its action taken on Stand. Com. Rep. No. 1734, seconded by Senator Slom and carried.

Senator Ihara moved that Stand. Com. Rep. No. 1734 be received and placed on file, seconded by Senator Slom and carried.

On motion by Senator Ihara, seconded by Senator Ihara and carried, H.C.R. No. 286, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO GIVE PRIORITY TO THE MAUKA HIGHWAY AS AN ALTERNATIVE HIGHWAY TO FARRINGTON HIGHWAY ON THE LEEWARD COAST," was adopted.

Senator Tam rose on a point of personal privilege and said:

"Mr. President, I rise on a point of personal privilege.

"This session we had a bill in regards to the library system whereby Mr. Bart Kane and Mr. John Penebacker introduced legislation for the Legislature to allocate money or allow them to collect fines. And basically, we kept the bill in house. The bill has died at this time. There's a rumor John Penebacker is going out and saying that the bill is still alive. I just want to make the announcement that the bill is dead. The bill is S.B. No. 1625, H.D. 2, Relating to the State Library System.

"What happened is this. The state librarian has made a contract with a collection agency in terms of a certain fee amount. He in turn after signing the contract came to us with legislation asking that we allow him the permission to collect library fines in addition to the collection fee contract. We found it was undue justice in terms of the public who are paying for their past-due books and also to, if I may, we don't want to re-incur another Baker & Taylor contract whereby after the fact we come out with legislation. We find that Mr. Bart Kane should deal with everything on the table, upright, rather than behind the scenes, and then try to create problems for us in the Legislature.

"So in essence, this bill is dead. I'm glad it's dead. So, Mr. Bart Kane and Mr. John Penebacker, your attempt to fool us is dead.

"Thank you."

#### ADJOURNMENT

At 6:39 o'clock p.m., on motion by Senator McCartney, seconded by Senator Slom and carried, the Senate adjourned until 10:00 o'clock a.m., Thursday, May 1, 1997.

## ATTACHMENT "I"

TESTIMONY OF THE STATE ATTORNEY GENERAL AND  
PROSECUTORS AND POLICE CHIEFS  
OF THE CITY AND COUNTY OF HONOLULU,  
AND THE COUNTIES OF HAWAII, KAUAI, AND MAUI

H.B. NO. 1604, H.D. 1

## RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS

The Honorable Chairpersons and Members:

The Law Enforcement Coalition, which consists of the Attorney General, and the four county police chiefs and prosecutors, strongly supports the Senate version of this bill (S.B. No. 286, S.D. 2). Although we support certain portions of this bill, we recommend the bill be changed back to the original language proposed by the Law Enforcement Coalition.

The purpose of this bill as originally drafted was to provide for all prisoners to serve at least 85% of their felony prison sentences before becoming eligible for parole. The original bill would also have allowed judges more discretion in setting maximum sentences. However, as revised, the bill's purpose appears to be to enhance penalties for only a very small number of enumerated crimes.

We respectfully disagree with the changes made by the House to the Law Enforcement Coalition's version of the bill (H.B. No. 1604). Unlike the Senate version, the House version (H.B. No. 1604, H.D. 1) would make "truth in sentencing" applicable only to murder, manslaughter, assault, robbery and Sexual Assault in the First Degree (not Sexual Assault II or III). Therefore we urge this committee to replace the contents of this bill with the contents of S.B. No. 286, S.D. 2, because the Law Enforcement Coalition unanimously supports the Senate version which applies to all crimes. The Law Enforcement Coalition unanimously opposes the changes made to H.B. No. 1604.

While we appreciate the work done by the House to address sentencing issues in H.B. No. 1604, H.D. 1, some of the changes made to the enhanced sentencing provisions of the original bill appear to have been done in haste. For example, under the House version, if a judge sentences a rapist to 20 years, the rapist would have to serve at least 17 years. But if the victim was disabled, the rapist would have to be released after 11 years, one month instead of 17 years!

The Senate version deals with crime more comprehensively and leaves it to the judge to give appropriately harsh sentences in the case of violent criminals. Under current law, the sentencing judge decides only whether the defendant will be granted probation or sent to prison. If the decision is to send the defendant to prison, the sentencing judge must sentence the defendant to 20 years in prison for class A felonies, 10 years in prison for class B felonies, or 5 years in prison for class C felonies. What is generally not known by the public is that these figures bear very little relation to the time the prisoner will actually spend in prison.

For instance, from 1991 until 1995, the average amount of time actually spent in prison by those who were sentenced to a 20 year prison sentence was approximately 5 and one-half years. The huge disparity between the number of years to which a defendant is sentenced and the number of years the defendant actually serves outrages victims and causes a general lack of respect for the criminal justice system. The Senate version of this bill would require all those sentenced to prison in Hawaii to serve at least 85% of their sentence before becoming eligible for parole. The House version, as previously stated would be limited to a very narrow category of crimes, leaving the vast majority of crimes to be sentenced in the same inadequate way as they are currently sentenced.

The original version of this bill was to make sure that those defendants who deserve prison sentences are not released before they should be, and to provide the public with more accurate information on how long a prisoner will actually be incarcerated. As amended by the House, however, this bill would only accomplish that goal for a fraction of the felonies committed in Hawaii. It would actually reduce penalties for the vast majority of felons in Hawaii. It would also give property criminals and drug criminals the benefit of reduced sentences without giving the victim (and society) the benefit of knowing that those criminals

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sentenced for crimes serious enough to justify prison sentences will serve 85% of the sentence given. Hawaii has one of the highest property crime rates in the country. Taking it easy on property criminals, drug criminals, and rapists convicted of class B and class C felony sexual assaults fails to address the greatest problems that we face.

We respectfully request your support for the original version of H.B. 1604, a joint proposal by the Law Enforcement Coalition and the Department of the Attorney General. Every chief of police in Hawaii, every prosecutor in Hawaii, and the Attorney General request that you amend this bill to its original form. Thank you for the opportunity to testify in support of this bill.

## SIXTY-FIRST DAY

**Thursday, May 1, 1997**

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, convened at 10:12 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Urasaki, Aiea Hongwanji Buddhist Temple, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixtieth Day.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor (Gov. Msg. Nos. 334 and 335) were read by the Clerk and were placed on file:

Gov. Msg. No. 334, informing the Senate that on April 28, 1997, he signed into law Senate Bill No. 1631 as Act 77, entitled: "RELATING TO EARLY CHILDHOOD EDUCATION."

Gov. Msg. No. 335, informing the Senate that on April 29, 1997, he signed the following bills into law:

Senate Bill No. 228 as Act 78, entitled: "RELATING TO THE DEFINITION OF CHIROPRACTIC";

Senate Bill No. 1115 as Act 79, entitled: "RELATING TO THE RETURN OF MERCHANDISE";

Senate Bill No. 1118 as Act 80, entitled: "RELATING TO PEST CONTROL OPERATORS";

Senate Bill No. 1486 as Act 81, entitled: "RELATING TO INSURANCE RATE REGULATION";

Senate Bill No. 1495 as Act 82, entitled: "RELATING TO MOTOR VEHICLE LEASE DISCLOSURE";

Senate Bill No. 1499 as Act 83, entitled: "RELATING TO UNFAIR METHODS OF COMPETITION";

Senate Bill No. 1515 as Act 84, entitled: "RELATING TO PEST CONTROL OPERATORS";

Senate Bill No. 1516 as Act 85, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY LICENSING";

Senate Bill No. 1519 as Act 86, entitled: "RELATING TO PUBLIC ACCOUNTANCY";

Senate Bill No. 1521 as Act 87, entitled: "RELATING TO THE BOARD OF BARBERING AND COSMETOLOGY";

Senate Bill No. 1523 as Act 88, entitled: "RELATING TO REGULATION OF HEARING AID DEALERS AND FITTERS";

Senate Bill No. 1524 as Act 89, entitled: "RELATING TO DENTISTRY";

Senate Bill No. 1556 as Act 90, entitled: "RELATING TO HOMELESSNESS";

Senate Bill No. 1565 as Act 91, entitled: "RELATING TO GENETIC INFORMATION";

Senate Bill No. 1578 as Act 92, entitled: "RELATING TO GLASS RECYCLING";

Senate Bill No. 1715 as Act 93, entitled: "RELATING TO SECURED TRANSACTIONS";

Senate Bill No. 1814 as Act 94, entitled: "RELATING TO EMERGENCY TELEPHONE SERVICE"; and

House Bill No. 2239 as Act 95, entitled: "RELATING TO UTILITY LINES."

**HOUSE COMMUNICATIONS**

The following communications from the House (Hse. Com. Nos. 861 to 868) were read by the Clerk and were placed on file:

Hse. Com. No. 861, informing the Senate that the House, on April 24, 1997, reconsidered its action taken in disagreeing to the amendments proposed by the Senate to the following House bills and has on April 29, 1997, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 1, H.D. 1, S.D. 1;  
H.B. No. 133, H.D. 2, S.D. 1;  
H.B. No. 872, S.D. 1;  
H.B. No. 1485, H.D. 2, S.D. 2;  
H.B. No. 1575, S.D. 1;  
H.B. No. 1654, H.D. 1, S.D. 2;  
H.B. No. 1655, H.D. 1, S.D. 1;  
H.B. No. 1724, H.D. 1, S.D. 1; and  
H.B. No. 1904, H.D. 3, S.D. 1.

Hse. Com. No. 862, informing the Senate that the House, on April 25, 1997, reconsidered its action taken in disagreeing to the amendments proposed by the Senate to the following House bills and has on April 29, 1997, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 233, S.D. 1;  
H.B. No. 728, H.D. 1, S.D. 1;  
H.B. No. 777, H.D. 1, S.D. 2;  
H.B. No. 780, H.D. 1, S.D. 1;  
H.B. No. 793, H.D. 1, S.D. 2;  
H.B. No. 912, H.D. 1, S.D. 1;  
H.B. No. 1132, H.D. 1, S.D. 1;  
H.B. No. 1216, H.D. 1, S.D. 1;  
H.B. No. 1300, H.D. 1, S.D. 1;  
H.B. No. 1388, H.D. 2, S.D. 1;  
H.B. No. 1410, H.D. 1, S.D. 1;  
H.B. No. 1450, S.D. 1;  
H.B. No. 1510, S.D. 1;  
H.B. No. 1593, S.D. 1;  
H.B. No. 1641, S.D. 1;  
H.B. No. 1645, H.D. 1, S.D. 2;  
H.B. No. 1648, S.D. 1;  
H.B. No. 1689, H.D. 1, S.D. 2;  
H.B. No. 1715, H.D. 1, S.D. 1;  
H.B. No. 1716, H.D. 1, S.D. 1;  
H.B. No. 1818, H.D. 2, S.D. 2;  
H.B. No. 1842, H.D. 2, S.D. 1;  
H.B. No. 1854, H.D. 1, S.D. 1;  
H.B. No. 1858, S.D. 1;  
H.B. No. 1864, H.D. 1, S.D. 1;  
H.B. No. 1893, S.D. 1;  
H.B. No. 1900, H.D. 1, S.D. 1;  
H.B. No. 1902, S.D. 1;  
H.B. No. 2305, S.D. 1; and  
H.B. No. 2308, H.D. 2, S.D. 1.

Hse. Com. No. 863, informing the Senate that the House reconsidered its action taken in disagreeing to the amendments proposed by the Senate to the following House bills and has on April 29, 1997, agreed to the amendments and passed said bills on Final Reading:

H.B. No. 480, H.D. 2, S.D. 1;  
 H.B. No. 1086, H.D. 2, S.D. 2;  
 H.B. No. 1247, S.D. 1;  
 H.B. No. 1367, S.D. 1; and  
 H.B. No. 1695, H.D. 2, S.D. 1.

Hse. Com. No. 864, returning S.C.R. No. 171, S.D. 1, H.D. 1, C.D. 1, which was finally adopted in the House of Representatives on April 29, 1997.

Hse. Com. No. 865, returning S.C.R. No. 182, S.D. 1, H.D. 1, C.D. 1, which was finally adopted in the House of Representatives on April 29, 1997.

Hse. Com. No. 866, returning S.C.R. No. 270, S.D. 1, H.D. 1, C.D. 1, which was finally adopted in the House of Representatives on April 29, 1997.

Hse. Com. No. 867, informing the Senate that the Conference Committee reports on the following Senate bills were adopted and that said bills passed Final Reading in the House of Representatives on April 29, 1997:

S.B. No. 5, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 37, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 58, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 130, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 135, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 138, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 141, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 152, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 165, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 175, H.D. 1, C.D. 1;  
 S.B. No. 208, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 252, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 257, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 373, H.D. 1, C.D. 1;  
 S.B. No. 375, H.D. 2, C.D. 1;  
 S.B. No. 377, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 382, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 426, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 512, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 633, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 647, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 656, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 717, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 718, H.D. 1, C.D. 1;  
 S.B. No. 817, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 835, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 870, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 927, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 986, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 989, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 991, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1032, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1069, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1082, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1114, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1160, S.D. 1, H.D. 3, C.D. 1;  
 S.B. No. 1191, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1197, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1266, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1267, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1268, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1421, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1487, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1522, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1535, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1554, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1571, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1581, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1589, S.D. 2, H.D. 1, C.D. 1;  
 S.B. No. 1588, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1618, H.D. 2, C.D. 1;  
 S.B. No. 1619, H.D. 2, C.D. 1;

S.B. No. 1621, H.D. 1, C.D. 1;  
 S.B. No. 1632, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1683, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1794, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1879, S.D. 2, H.D. 2, C.D. 1;  
 S.B. No. 1901, S.D. 1, H.D. 1, C.D. 1;  
 S.B. No. 1919, S.D. 1, H.D. 2, C.D. 1;  
 S.B. No. 1943, S.D. 1, H.D. 2, C.D. 1; and  
 S.B. No. 1951, H.D. 2, C.D. 1.

Hse. Com. No. 868, returning S.C.R. No. 279, which was adopted by the House of Representatives on April 29, 1997.

## ORDER OF THE DAY

### FINAL READING

Conf. Com. Rep. No. 171 (H.B. No. 100, H.D. 1, S.D. 1, C.D. 1):

Senator Baker moved that Conf. Com. Rep. No. 171 be adopted and H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator D. Ige.

Senator Baker rose to speak in support of the measure and stated:

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

"Mr. President, when we began this session we laid out an agenda to address the major issues that our constituents deemed critical to the success of our work. This session we were able to meet those challenges and the bill before us completes this agenda. Prior to this measure we had dealt with high-three reform; we had put to rest an issue that had divided not only our state but had distracted us (same-sex marriage); we provided a balanced budget (a difficult task because of the economic times we're faced with, yet we came up with a budget that was balanced, fair, and provided some economic stimulus for our state); and we also began to tackle some of the difficult issues regarding settlements of Native Hawaiian claims and ceded lands. And now we have an auto insurance reform bill before us. House Bill 100, C.D. 1, does in fact complete the agenda that we set for ourselves when we convened back in January.

"Mr. President, today we are poised to do what no Legislature has been able to do for the past four years, and that is -- to enact meaningful auto insurance reform legislation and provide relief to Hawaii's consumers. Putting this proposal together, I can guarantee you, was no small feat. Your conferees made a concerted effort to involve all parties in the decision-making process and worked very hard to strike a balance of fairness to attorneys, insurers, but most importantly for consumers. No side was unduly influential in this process. And in the end, I believe that we achieved a bill that strikes that delicate balance. And perhaps the fact that neither insurers nor plaintiffs' attorneys love this measure is testament to the balance struck by this bill.

"Mr. President, I feel it is important to note that unlike previous years and previous legislation in this area, we relied on our state actuary to assist us in developing this bill. After all, Mr. President, it is the actuary who is the designated expert on our state's insurance matters and he is our only source of unbiased expert opinion. It is our actuary, Mr. Simons, who has given us his stamp of approval on the bill before us and he is confident that the provisions contained in this measure will, in fact, produce savings of between 20 and 35 percent. In fact, I have letters from Mr. Simons confirming his analysis and I would like to enter his remarks into the Journal as further indication of how the bill will work, and its savings.

"Specifically, Mr. President and colleagues, this measure accomplishes the following:



The bill does not cost shift to employers or to the prepaid health care plans, but it takes advantage of the best of the plans by defining benefits as prepaid health define those benefits.

We addressed the cost drivers in the system and have enacted specific measures to control those costs. One of the things that Mr. Simons noted in his analysis was that claims padding has been the single major cost driver under the current systems. Claims have been padded by extra, unnecessary treatments in order for claimants to reach the medical rehabilitative threshold -- the monetary threshold -- in order to sue. We have repealed the monetary threshold. He also pointed out that the C.D. 1 adequately addresses that cost driver. He also noted that we have addressed the misuse of chiropractic and alternative care providers, which were a factor in padding claims so that individuals could get up to the \$13,900 and then get into the tort system. By narrowing personal injury protection benefits to those of prepaid health, eliminating the ability to pad claims, repealing the monetary threshold, and requiring a covered loss deductible from tort awards, we have, in fact, addressed the major cost drivers in the system.

We've made many of the costly mandatory coverages required under our current law optional. This is pro consumer and it produces savings. It now puts the consumer in the driver's seat to select the kind of automobile coverage the consumer needs. It's not mandated by the state that we carry all of these coverages if in fact we do not need them. Wage loss, death benefits, alternative care providers are examples of coverage that is now optional.

This bill establishes stringent fraud provisions to ensure that accident victims and their legal counsel do not make fraudulent claims and unnecessarily run up costs.

We've enacted a covered loss deductible concept whereby all tort recoveries are reduced by a minimum of \$5,000 or a maximum of a person's personal injury protection coverage up to the max of \$10,000, whichever is greater. This novel approach is designed to discourage frivolous law suits and yet at the same time set a reasonable standard for litigation on legitimate claims. In fact, Mr. President, we've taken the best features of no-fault because we still have first party personal injury protection coverage and the best features of a tort system because we provide adequate access to the tort system for injured motorists, but at the same time discourage frivolous law suits.

We've set a reasonable standard for litigation on legitimate claims. We've retained the verbal threshold so that one does not have to have lots of medical expenses, but yet might have a serious injury, and still be able to sue.

"This measure empowers the insurance commissioner to adjust rates in the future. That provision will provide for future savings. And more importantly, this bill will produce savings for consumers. One of our goals was to provide for a mandatory 20 to 35 percent rate reduction that was actuarially supportable. Our actuary supports the reduction called for in the C.D. 1. (The item that I've asked to be inserted into the Journal, I'll make it available to all of the Senators because it goes through Mr. Simons' analysis to show just where and how the reductions will be accomplished.)

"I acknowledge that there are concerns expressed by the insurance industry and others who are skeptical that this bill can produce the requisite savings. However, after having sat through countless hours of hearings and innumerable conversations with folks on both sides and working closely with the actuary, I believe that this bill can produce the expected savings. Colleagues, we have a measure that will make our system easier to administer and will produce significant savings for the consumers of this state. And, Mr.

President, in the final analysis this is what our charge was -- to bring rates down for our consumers.

"I encourage all of my colleagues to vote 'aye' on this measure. Thank you."

The Chair having so ordered, Senator Baker's insertion of the state actuary's letters are identified as ATTACHMENTS "I" and "II" to the Journal of this day.

Senator D. Ige also rose in support of the measure as follows:

"Mr. President, I'd like to just offer a couple of other brief comments in support of this measure.

"What has been missing in a lot of the discussions in the press on this is we have made a significant move toward our goal of 24-hour coverage for all of our people. By defining the medical portions of our auto insurance, we now move, if you will, to a 16-hour coverage where all of our people can be expected to get their health care taken care of. By defining the medical benefits in the same definition as prepaid health, we are able to get all of the cost savings by reduced administrative costs. At the same time, we get to benefit from all of the restructuring that has occurred in health care over the last five years. We get to take advantage of all of the cost saving measures -- the deductibles, the preferred provider organizations, the managed care organizations that have delivered tremendous savings for businesses throughout the state, and all of our auto consumers will now be able to get those same benefits and see that in reduced premiums. And most importantly, Mr. President, it adds a new gate keeper to the system of access to medical care and insures that care on behalf of the injured accident victims is both warranted and necessary to recover from those injuries.

"One other feature that we do have in this measure is we really do provide a cafeteria plan for all of our consumers. They can choose to tailor the coverage that they buy in their auto insurance policy to meet their specific needs. We provide options for wage loss. We provide options for death benefits. We allow consumers to choose to participate in managed care arrangements. We provide for alternative care, if they so desire. We do believe that this measure before us provides the best of all worlds for our consumers.

"And I think we would be remiss if we did not spend at least a bit of our time to thank all of those involved. Thomas Jefferson once said that ... actually I think it's Edison, but my quotations are kind of flimsy at this time. (Laughter.) A wise person once said that 'Genius is 1 percent inspiration and 99 percent perspiration.' And I did want to thank my co-chair and partner, Senator Baker, for her inspiration and perspiration in achieving this measure that we have before us.

"I would also like to thank the Majority staff office. I lost track of all the drafts we went through in arriving at this bill before us today. We had numerous drafts on our Senate proposal. We had numerous drafts in conference and they were always willing and able to not only do the research but do all of the technical, manipulative work to insure that we had the drafts and supporting information ready to go.

"And last but not least, we definitely would both like to thank our staffs for all of their commitment to helping us achieve what we have achieved this session. I think the committee had a tremendous workload before us and I think we responded to the challenge.

"We would also like to thank the insurance commissioner, past, and the insurance commissioner, present, as well as Mr. Martin Simons. This truly was a collaborative effort. The solution before us did not appear miraculously, but was created out of our desire to take the best of both proposals and create a workable proposal that can save consumers money and can be supported.

"In closing, Mr. President, I would just like to say that there are critics and there will always be critics whenever the Legislature deals with tough issues. But we are confident that this proposal before us is the best for all the people of Hawaii. It addresses all of the cost drivers in the system. It delivers savings for the people of Hawaii, and most importantly, Mr. President, it provides a solid foundation for a new partnership of attorneys and insurers and legislators and consumers so we can address the few remaining issues in our auto insurance system that continues to plague us -- uninsured motorist, to name one.

"I urge all of my colleagues to vote in support of this measure. Thank you."

Senator Iwase rose to oppose the measure and stated:

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

"Before going on, I do want to thank the co-chairs. I know this has been a tough issue. We have dealt with the no-fault issue longer than we've dealt with the same-sex marriage issue, so our vote yesterday on the same-sex marriage was a journey ... and it was. This was a trip to Pluto and we finally, perhaps, will land someplace but I hope that it's a safe place.

"Mr. President, first of all, I think we ought to, when we're looking at this bill -- and we should have been doing this all along -- this is not about attorneys. This is not about insurance companies. This is not about bad-mouthing either one. This is about the consumer. This is about their bills, the struggles that they go through.

"Yesterday, I was painting graffiti at a park and a city employee came up to me. He happened to be cleaning the bathroom and he said, 'Hey, bra, what you guys doing up there with the no-fault stuff?' I said, 'Well, we're going to vote tomorrow. We're going to vote tomorrow.' He said, 'All right, eh, do something, eh.' And that's what it's about -- it's about him; it's about people like him.

"Lawyers are not ambulance chasers with Pavlovian reactions to sirens, nor are they representatives of the American Red Cross. And insurance companies are not representatives of the worse in capitalism and corporate greed, nor are they non-profit charitable organizations. They're businesses and they run for profit. They operate off of that. And in those businesses you run the gamut of character and ethical traits, good and bad. So you'll see abuses and there'll be fraud, but there will be also good attempts to serve the client. So let's get away from this attempt to sidetrack ourselves from what it's really all about.

"And it's about the consumer. It's about premium reduction. But just as important, which has been missing all of these years as we talked about no-fault, they demand honesty from us. When we look at the plans that were before us, what are you getting? What are you losing? We've never told them what they're going to lose. We've always talked about the premiums. It's not enough for us to leave this place saying, 'We passed auto reform.' They demand more than that from us.

"It is wrong for us to hold out false promises of reduction and dangle it before them, because they need these reductions, figures which may be inflated but which may come at the cost of reduced benefits. In this regard I want to address a point about Mr. Simons. Mr. President, four years ago we passed a very strong verbal threshold bill. We mandated a mere 15 percent rate reduction. We could not get support from the Insurance Division, and I assume its actuary, for 15 percent. And so the insurance commissioner told us when we passed that bill, 'We're not going to enforce the mandate,' because of a federal lawsuit, I believe, out of Arizona. But today, today, with a weaker reform package, Mr. Simons says we can support a 20 percent rate reduction. And I have questions about that. I

have problems about that because he was not there, and the Insurance Division was not there four years ago when we could have achieved real savings.

"To be honest with the consumer, Mr. President, I assume you have a letter, which we all should have, from State Farm Insurance Company. It's addressed to all of us. I want to quote from this letter in case people in here haven't gotten it ... real brief.

"We have been asked for our reaction for the pricing information relating to House Bill 100, C.D. 1. Our actuarial department estimates that those who currently carry the minimum amount of coverage required by law and who continue to do so under the new system will see an average 13 percent cost reduction. This is significantly less than the 20-35 percent mandated by the bill.

"Furthermore, it is important to note that although there are some cost-saving features in this bill, most of the savings are due to a reduction' -- reduction -- 'in mandated minimum coverage. This means individuals who carry higher limits and desire the same amount of coverage as they have today will see little savings' -- little savings -- 'under the new system. In fact, some could even see price increases.'

"By the way, I am going to quote from an example (I didn't come up with this example, it was somebody else), 'Previously we were requested to price an example of a policy holder with a 1993 Honda Accord DX living in Mililani and working in Downtown Honolulu.' We had this example last year -- it wasn't me. Using this same example, if the policy holder carries \$100,000 BI, \$50,000 property damage, \$50,000 PIP, \$100,000 UM/UIM and comprehensive and collision coverage with a \$250 deductible, our actuary estimates the person could see anywhere from a 7 percent reduction -- 7 percent only -- to a 3 percent increase, depending on the PIP option selected. If a person desires to continue with the \$50,000 PIP coverage with options similar to today, the person will see a 3 percent increase. If the person reduces the PIP coverage to a minimum \$10,000, which is what's in the bill, without selecting the optional wage loss and death benefits, we estimate a 7 percent reduction. Why is there a lack of cost savings? Because the cost of BI liability will go up under the new system. In other words we anticipate more BI claims and more lawsuits. The dollar threshold is reduced from \$13,900 to \$5,000, thus allowing lawsuits for more serious injuries.

"Mr. President, in the example, the hypothetical posed in the letter, we can talk about 20 to 25 percent off the basic minimum coverage. How many people in here have the basic minimum coverage only? How many in here, just among you, have purchased more? I have. I brought my policy. I have a \$100,000 BI coverage because I want to be protected from a lawsuit. I come from a community which is a middle class community. We own homes, and if we are sued, we don't want to lose the home.

"This bill will take out wage loss coverage. How can a middle class person afford to buy back or leave alone wage loss coverage? So when we talk to the consumer out there about what we gained by this bill, think about what policy you have today, what effect that's going to have on the consumer.

"This bill before us achieves some reduction but at the cost of reduced benefits of the basic policy. It reduces your medical coverage from \$20,000 to \$10,000 but keeps in place the protection you have for lawsuits. Where is the emphasis, then, in the bill? On the insured's injury or a plaintiff's injury? It eliminates wage loss coverage, funeral expenses, death benefits -- it is now going to be an option.

"If you are wealthy, wealthy, or if you are poor, you have no problem with this bill ... no problem whatsoever. But if you are among the vast middle class -- those are people in our districts -- struggling to make ends meet, this bill will not help you.

You will not see a 20 percent reduction -- let's be honest about that! You may even see an increase -- let's be honest about that! If you are middle class, you own a home, both adults working to make ends meet, you probably already purchased, as I did, more than the basic coverage. You purchased higher BI's. You need wage loss coverage. This bill will not bring a reduction in premium. It may even bring a premium increase if you purchase back -- just purchase back -- what you've got today. Wage loss -- who's going to tell the consumer in your district don't purchase wage loss coverage. You know what they're going through if they own a home, if they're both working, if they're latch-key families. Funeral expenses and death benefits ... well, perhaps, given what the ramifications of this bill are, it might be good to be buried, who knows.

"We had before us, Mr. President, a number of good bills which would have brought real rate reductions off the basic policy -- basic policy -- and therefore off the broader policy if you buy back the options. For example, the pure no-fault bill that we passed two years ago -- vetoed by the governor -- 40 percent reduction; the O'Connell choice bill, 45 percent reduction if you opted into the no-fault selection system; Senate Bill 1812, S.D. 1 -- the original version we had -- 40 percent reduction of the basic coverage. All these bills had their strengths and weaknesses, yet the positives outweighed the negatives: much greater premium reductions off the basic; good reduction of premiums even if you purchased back the optional coverage; no threat of premium increase when you purchase optional coverage. It retained, if not strengthened, the underlying philosophy of the present no-fault system, unless we've changed it in this bill, to reduce lawsuits -- eliminate 90 percent. Have we changed it? I don't know. If we have -- major policy shift -- there ought to be an explanation about why.

"We must be candid. We must be sincere. We must be honest with the public, with our consumers. We have this solemn duty and obligation. We must tell the public the truth. Yes, there will be a rate reduction off the basic coverage. Yes, there will be a loss of present benefits such as wage loss and funeral benefits. And yes, to purchase back the optional coverage you now have, your premium reduction may be only a single digit and definitely not 20 percent, or you'll see an increase.

"I say all of this, Mr. President, to the constituents in my district. I hope all of the rest of you do that. Like them, I purchase and will continue to purchase optional coverages and for me, like them, this is the reality. This policy I read from -- \$1,436 a year for a 1986 Chevy Astro van -- my premium, if I buy back my optional coverage and maintain what I have, will go up to \$1,479 a year. If I accept the reduced benefits -- elimination of wage loss and funeral expenses, reduced PIP -- my premium will drop a mere 7 percent. I will save \$100 a year. I'm not going to my consumers, my constituents, and tell them that's all you're going to get when they expect a 20, 25 or 35 percent reduction -- because that's not true!

"Because this bill leaves the vast middle class with poor choices, Mr. President, I urge my colleagues to vote 'no.'"

Senator Solomon rose in opposition to the measure as follows:

"Mr. President, I also will be voting 'no' on this bill and I'd like to speak in support of the remarks made by the previous speaker.

"Mr. President, I am tired, tired of standing on this floor and listening to the co-chairmen say to me that we have to complete the agenda. I never ever thought, Mr. President and fellow colleagues, that I would be standing here speaking in support of the insurance council. Is it true, what a letter to our legislators said about the auto insurance? Is it true, Mr. President, that this bill reveals some critical short and long-term effects on Hawaii's auto system? Most of the cost drivers were not

adequately addressed. Is it true, Mr. President, that we feel a responsibility to inform you and all Hawaii's drivers that this bill may not provide the level of rate reductions promised by this Legislature?

"Mr. President, I have great concerns about this. My district has the highest unemployment rate and it seems that I am forcing my people, Mr. President, to violate the law, to become criminals because they cannot afford the insurance policy that is being demanded of them because it simply is mandated by law. I am sick and tired of all of this 'shibai,' all of this nonsense. And who is suffering? The consumer. Who is suffering? Mom and dad. Who is suffering? Our kupuna. Who is suffering? Our children.

"Yes, Mr. President, I'm emotional about this. Why not? I've been in this body since 1982 when we first debated this. And to have our co-chairs stand on this floor and use the rationale -- to complete our agenda -- that we support this legislation, does absolutely nothing, nothing for the people of this state. I am angry, very angry.

"We had a bill, Mr. President. We had a bill that mandated a 45 percent roll-back. But what happened, Mr. President? The governor vetoed it. Mr. President, why don't we rename this bill ... a lobbyist jokingly told me, you know bills are just titles ... so why don't we rename this bill, Mr. President, 'The Lawyer Enactment Act,' 'The Lawyers Employment Act'? So for the next few years they're guaranteed jobs in this state. They tried to do it to the Hawaiians by blaming the low municipal bond rating on us. So why not? Why don't we stand up and be counted and say, this is who we're taking care of. We're taking care of the lawyers in the State of Hawaii. Why don't they do what the chiropractors did? Move to another state if they can't do business here.

"Mr. President, I'm asking you this. The Speaker has announced that he is contemplating a special session. He mentions privatization. He makes no mention of a matter that should be of primary concern at this time -- auto insurance -- because we mandate our citizens to buy that. Mr. President, I request that this body go on record today, go on record today that if there would be an extension of our legislative activity that certainly auto insurance be on our agenda during that period. Our citizens want and deserve decisive action in this field."

At 10:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:46 o'clock a.m.

Senator Bunda rose to inquire:

"Mr. President, in reference to the previous speaker's remarks, would there be any reconsideration in terms of recommitment?"

The Chair responded:

"There is no consideration for recommitment. We'll be voting on this measure today."

Senator Bunda then said:

"Thank you very much, Mr. President."

Senator Slom rose in opposition to the measure and said:

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

"I do so with great feeling because I attended every informational briefing, every public hearing, every meeting, and every conference meeting that was open to either the public or to the Minority. And first I want to say that the co-chairs worked extremely hard, honestly, diligently, openly. I think the

problem is, however, that we had good bills and we had good positions and watched those positions evaporate as everybody was concerned about passing something.

"Now, my personal position which I said on several occasions and in several different bodies was, No. 1, that automobile insurance in the State of Hawaii should not be mandatory. It should be voluntary like other forms of insurance. And my secondary position was, if we couldn't have that, then people should have a choice, and we should have a dual system. And those people who wanted tort should have tort. And those people that wanted no-fault should have no-fault. Knowing full well the consequences and the responsibilities for their choice. And that didn't get anywhere either.

"And my third position was that if we absolutely, positively had to have any kind of mandate, it should be a minimum cost mandate with a cafeteria style approach -- as much options as possible -- guaranteeing, however, that there would be real and meaningful rate reduction because, after all, that's what's held us up for three years and that's what we all discussed. That's what we wanted.

"It was also imperative from the beginning that there would be no cost shift from the auto insurance to an employers' prepaid health care. And we maintained that position and the co-chairs are to be congratulated because they said it over and over and over again until we got to the final stage -- the final conference which, by the way, was the ninth conference draft or the ninth draft of the bill. And while there isn't mention in the conference report, the committee report that mentions no cost shift, as I learned on this floor just two days ago, committee reports don't mean anything. The intent of any legislation is found in the body of the bill and there is nothing in the body of the bill that says specifically no cost shifting.

"Now a lot has been said about the importance of our South Carolina actuary as if one individual is infallible. And it's interesting to note that he is just a man -- he is a good man, I'm sure -- but just because he makes a pronouncement from South Carolina does not make it so.

"Also, the voter-rejected, governor-appointed current insurance commissioner, who was busy getting up to speed during all of these hearings and learning the insurance business, has also given us promise that everything would be okay.

"But one of the reasons that we allow bills to sit for 48 hours is to give us the time to carefully and dispassionately and objectively examine what is actually going to occur ... not what we would like to occur ... not what we would want to make us feel better with ... but what will actually occur. From my past business experience and my economic background, I have analyzed every portion of this bill. And while we said initially that if we could guarantee a \$20,000 limit, then we could guarantee no cost shifting. We saw that \$20,000 go down to \$15,000, the \$15,000 go down to \$10,000, and I do not have the confidence that we are going to have those rate reductions. And more so, I am concerned that we are going to have greater problems.

"Now, I am neither an apologist for the insurance industry nor for the lawyers. And as a matter of fact, with all this talk about partnerships I would rather see the marketplace -- not a partnership between lawyers, insurance executives and certain legislators -- decide what's best for the consumers. I would rather let the marketplace decide that. But if you're going to listen, at all, to the insurance people, they're the ones that are telling us that these figures do not do what this bill says it will do. And from that standpoint I think that we are offering false promises.

"Too many of us here are quick to pat ourselves on the back. We want to say that we've accomplished everything, but what have we really accomplished? It is the substance, not the intent,

that is extremely important. And I think that we can see now that what's going to happen is that if, in fact, we have basic coverage only, we will realize a savings less than what we was promised, less than what the Senate position had been right up until the end of the session. But if we are like 99 percent of all of us, we will have options. The coverages that we want or feel that we need will either mitigate the savings entirely or increase our cost.

"We must be honest to the consumers. We always talk about the children. We talk about the consumers. We talk about these people as if they don't have the ability to read between the lines. Well, our constituents do. They've asked us hard questions and that's forced us to look at every line and every dot in this bill. And this bill does not do what we wanted it to do because we compromised too far. We should all be willing to compromise to a point, not our principles, Mr. President. And I'm afraid that's what this final version has done. And in that respect, we should all take more time and pass out a well reasoned, good bill than just to pass something out that we say will do what in fact most of us know in our hearts will not be achieved.

"Thank you, Mr. President."

Senator Kawamoto, rising to speak against the measure, then stated:

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

"Mr. President, as we walk through our communities listening to the concerns of the community and our constituents, besides same-sex marriage, the issue of automobile reform and lower premiums were in the forefront. Many of us have provided an opportunity for a choice bill. In fact, my choice bill was submitted after talking to you, Mr. President, and I'd like to give you credit for the idea of the cafeteria type insurance bill. As we have gone through the session I read it with reservation as the bill passed through the Senate, hoping that that bill could be the best it can be.

"Well, Mr. President, as we stand today, that bill today is not what it could have been. It could have been for the consumers, not anyone, the insurers or the lawyers, but the consumers who pay the premiums. And I have a community that may be lower in stature from the Mililani area, but we also provide and ask for options -- options to protect our homes, options to protect ourselves, the family, and options to protect our way of life.

"Therefore, Mr. President, I urge all my fellow colleagues to vote 'no' on this bill, hoping that we can get out a bill that is addressing the consumers and the people that pay the bill to pay for these premiums.

"Thank you very much."

Senator Sakamoto also rose to speak against the bill and said:

"Mr. President, I also rise in opposition and I'd like to reiterate all the points that were made and I agree with most of them.

"Mr. President, firstly, I'd like to thank, yes, the inspiration and perspiration of the committee. They did a good job studying the issues and we had a good bill. Yes, we had a good bill, good savings. But I believe, just as in workers' compensation reform, Mr. President, the major cost driver, the major cost driver in this system is litigation -- litigation. And the \$13,900 limit is lowered. Your committee report says, 'For example, a \$9,000 recovery that includes covered personal injury protection benefits of \$7,200 and \$1,800, down to \$5000 people can sue. Mr. President, I believe people buy insurance for protection, not for lawsuits. We need to get rid of the lawsuits.

"I kind of take offense at this clause in your committee report that says, 'Create a fair and equitable system which meets the needs of all parties concerned, including drivers, insurers, and attorneys.' I believe it should be 'for drivers,' not 'including drivers.' This is the system for the drivers, not insurers and attorneys, Mr. President -- it's there to help the drivers. In this system we create more lawsuits. There are no real savings in that regard.

"If this bill were to fail, Mr. President, I believe the consumers can still benefit. This body passed revisions to the medical fee schedule. One insurance company already said that means 9-plus percent reduction. Other insurance companies were holding off, waiting for what would happen in this session. So I believe should this bill fail, which I hope it does, there will be in the neighborhood of 10 percent just on the medical fee schedule alone. Chiropractic services in the medical fee schedule are more limited than what this bill proposes. This bill proposes to give chiropractors more opportunity, not less. Where are we going? We need to address the true cost driver, Mr. President.

"In our Transportation Committee with the Senator from God's country and other members with the help of the Judiciary Committee, we passed safety measures -- graduated driver's licenses to take care of teens or young drivers with little driving experience, implied consent, zero tolerance, issues like that, Mr. President. Pickup truck limits -- those are safety issues. Those will reduce premiums. Those will help consumers, overall -- safety measures. Just as in workers' comp, you have safety measures. But we need to address litigation, the main remaining factor that is the cost driver, not to give more litigation. We need less, Mr. President.

"And yes, Mr. Simons in workers' comp, and I'm familiar with Mr. Simons coming before our committees and saying, 'I don't know the cost. We don't have the data.' I object to him saying now, 'Oh, we're the first in the nation to do a creative system and I have this marvelous data.' That is not consistent and that is not the job of our state actuary to come up with a new system. His job is to price based on the past! That's what actuaries' jobs are! They need to do their job all the way along and give adequate pricing, not at the end claiming to be an expert, Mr. President.

"I vote 'no,' and I say if this bill goes down there'll still be savings, savings that the voters can live with, that the constituents can live with, that the drivers can live with, based on the medical savings that are already in place from the workers' comp reform medical fee schedule reform and let's take care of litigation. And yes, let's have reform. Let's not have this, we did it and have the voters, the public and everybody say what happened, Mr. President. Let's be accountable."

Senator Tam rose in opposition as follows:

"Mr. President, I stand before us on this difficult issue to stand in opposition to this bill.

"Everyone gave their various reasons for why 'yes' or 'no' on this bill, and we all want, in terms of a consumer oriented bill, the cost savings for the consumers in auto insurance. Let me give you another point of view.

"First of all, let me say this, in the bill it says that there are several facts: (1) it lessens the medical benefits and other benefits which we are all used to and which is a given, quite frankly, in today's society to protect one's self; (2) it offers a cafeteria plan which will cost more to protect one's self (otherwise called 'riders'). For example, the loss of pay due to a car accident when you're out of work. Everybody needs something to live on when they're in the hospital or recuperating; (3) supposedly a 25 to 35 percent reduction of the basic coverage. Now, I say basic coverage. Keep in mind that there is a bill that proposes to lessen the coverage that we all are

used to. So you have a basic coverage like the welfare recipients have and I know for a fact, when I got hit by a driver who was on welfare, their welfare coverage is real basic. Imagine we're going to have this basic coverage for everyone, no matter what kind of assets you have; and (4) it opens the door for more litigation.

"Let me give you an example in terms of what can happen from a sales point of view. I'm addressing this from the sales point of view in terms of how it can cost the consumer more. We all are used to going to a car dealer to buy a brand new car or a second-hand car. Take a brand new car -- you go to a car lot and you look at the car, and you say I want that car and it costs \$15,000. And I believe one of the dealers does this. He says, this is your basic cost of the car. Now if you want other things, you have to add it on. The other things like, for example, air conditioning, the color of the car, the window tint, safety locks for children, quality tires rather than just poor tires, and of course the all famous tax and license. So what do you come up with basically? Instead of paying \$15,000, because the salesman did a good job in terms of selling you more of these riders, your cost of the car will come up to maybe \$25,000, which is not really what you wanted to do. You wanted to spend only \$15,000 or maybe a little bit more, but not \$25,000.

"As one in sales, if I may, I can see that happening to our consumers. The salesperson out there will approach a consumer and say to the consumer, well, this is your basic coverage, but keep in mind you have a home, you have children, you have a job; you need these other riders because otherwise when you get into a car accident, you're not well, what are you going to do? How are you going to survive? So what happens is that the salesperson presents a scare tactic in order for the consumer to buy more insurance coverage. And I can see this happening, quite frankly. And if I may, being a salesman myself, it leaves the door open for a salesperson to do that. Do we really want that to happen? I don't think so.

"I'm really worried about this bill, to be honest with you. We say 25 to 35 percent reduction in terms of the cost of the insurance, but I'm going to be asked by the consumers in my district and I know by other consumers out there in the community statewide, can we guarantee? And quite frankly I'm going to say, no, I cannot guarantee. They'll say, why did you vote on this bill, then? I want a guarantee. And I'll say I'm sorry. And they're going to say, well, if you can't guarantee why did you do it? It's going to go around in circles, to be honest with you.

"If I may conclude, this bill in essence, when you think about it, is an insurance bill -- an insurance company bill. Why? Because it generates more money. What the insurance companies would do, basically, is offer this basic plan and have these riders. Now, instead of paying for loss of wages, maybe about \$50 more in premiums, as an example, you're going to pay three times that amount, \$150. Now, insurance companies are no fools. They're going to make up their losses. Because we're going to mandate basic coverage, they're going to make up their losses in riders. This happens even with medical plans at HMSA, Kaiser, and so forth. I can see that happening to our auto insurance.

"It's also an attorney oriented bill. And I have friends who are in insurance, business or attorneys, and they are going to get upset with me. But the truth is that this is also an attorney oriented bill because it opens up the litigation. Attorneys are crying right now for jobs and the only leverage that they have out there is to say, I'm going to sue the other party. Everybody wants money. This is a greedy world we live in right now. The economy is down. People say, I want money in my pocket, so they're willing to sue everybody.

"The consumers want a guarantee to lower savings in auto insurance. And I cannot offer that guarantee, personally, nor as a Senator in the State Senate. We need a formula for the

insurance cafeteria plan or the riders plan. Why not put a formula together whereby the insurance companies cannot charge these outrageous prices for riders. We never thought about it, I guess, but maybe we should re-look at it.

"Thank you very much."

At 11:07 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:12 o'clock a.m.

Senator Anderson rose to oppose the measure as follows:

"Mr. President, I'll try to be very brief. I, too, will be going 'no' Mr. President, and I'll try to give some other reasons than some of my colleagues. I agree with everything and I'm very proud of Senator Sakamoto. I thought only the Portuguese got angry, or Hawaiians, but he made us all proud. He got a little 'habut' there.

"But let me say, Mr. President, the other evening I ran into a lady that said, with all the reservations that you had against the budget, yet you voted 'aye.' On that particular measure there was a lot in there for our constituents. I'm voting 'no' on his particular measure, Mr. President, because I don't believe there's enough there for the constituents.

"I can remember that the lieutenant governor, when we fought this issue a few years ago, said that by lowering the threshold we may be in court more often, but we should be able to save. And I don't think that's true. What we have not discussed is that the other day in settlements against the state, 85 percent are settled out of court. If in fact we lower that threshold, how many of these people are going to be sued? But they're going to be settled out of court so we won't know too much, but their insurance could go up. Now, my understanding when we met with the two chairmen, and I give them a lot of credit, I know they've worked hard, but my understanding is that there is a cap that we can work on with the insurance companies. But there's nothing for the attorneys. There's no way that we can find out how many times they're taking us to court, how many times they're settling out of court, what kinds of pressures they're putting on the insurance companies to be a cost driver. We won't know that and I'm worried about that factor.

"Also, Mr. President, I understand that when we were supposed to have the roll-back some years ago, I don't think that when we mandated 20 percent that there was a lot of new policies written. And a lot of people did not get any roll-back. This year, I understand with what we have there might be a constitutional problem, and that, too, worries me.

"I think Senator Malama was right when she said that the Speaker had already, on television, said that there is a possibility we'll have to be called back to session because of privatization. Then why don't we just go ahead and not do this bill because it's not going to help our consumers and we mandate that they take insurance, and we'll come back. Give us a date. Extend this one, go back June 1 or whatever.

"In closing, Mr. President, I'd like to say that for my people that elect me in the windward side, Waimanalo and Kailua, and also your families and friends that I represent in that district, I will be voting 'no.' But also because I'm a State President -- State Senator, excuse me (laughter). You think I wanted your job there for a minute. Nah, I wouldn't want to be in your position, Sir (more laughter) -- but as my responsibility as a State Senator, I will also make sure that my friends and family that live in your districts will know that I am also voting 'no' for them because I don't believe that this particular bill is going to help them in any way.

"Thank you very, very much, Mr. President."

Senator McCartney rose to support the measure as follows:

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

"Mr. President, our current no-fault system is a system that has lost its way. It is sick and not well. The bill before us puts it back on track. It's the surgery needed to bring it back to health. Mr. President, there's no magic wand to solve the problems and the forces that prevail on this issue in our society.

"I believe, Mr. President, that our co-chairs worked hard, diligently and they did their best to come up with a bill that isn't a bill for attorneys, isn't a bill for insurance companies -- it is a bill for consumers and the public. This bill provides the reform that our present system needs, and I urge all our members to support the bill.

"Thank you."

Senator Metcalf rose to support the measure and said:

"Mr. President, I ask that the Majority Leader's remarks be included in the Journal as my own, and in addition I have some fairly extensive remarks in support of the measure that I'd like also to be inserted in the Journal.

"Thank you."

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

"Mr. President, I rise to speak in favor of H.B. No. 100, C.D. 1. I wish to commend co-chairs Baker and Ige for their hard work in achieving significant reform of our automobile insurance system, based upon actuarially sound principles.

"This reform measure reduces insurance premiums for all consumers, gives greater choices to consumers, places significant limitations on litigation, provides insurance fraud laws that insurance companies have requested, and allows the Insurance Commissioner power to adjust rates when carriers realize excessive profits.

"Insurance companies have started an expensive media campaign to undermine this reform proposal, which would end the excessive profits currently enjoyed by insurers. Some companies claim that this reform measure will not result in lower premiums for consumers, but will increase premiums for many consumers. This is a tactic which has been used before. When the Legislature passed workers' compensation reform in 1995, the state actuary projected rate reductions of more than 25 percent. The insurance industry claimed that the workers' compensation reforms could not achieve those savings. In fact, those workers' compensation reforms resulted in a 27 percent rate reduction and three new companies entered the Hawaii market. Further reductions from the 1995 legislation are predicted for the next few years.

"In 1992, insurers agreed to changes in the no-fault law calling for a 15 percent rate reduction. The state actuary was not consulted and did not have the chance to analyze the rate reductions that might be realized from that proposal. As it turned out, the insurers were wrong again and the 1992 amendments produced virtually no rate reductions for most consumers.

"The lesson to be learned from the 1992 and 1995 experiences is that there is no substitute for sound actuarial analysis by the independent state actuary. Promises or representations by insurance companies, or any other special interest, cannot serve as the basis for mandatory rate reductions, unless verified by the independent state actuary.

"The state actuary has reviewed claims made by insurance companies that this reform measure will not produce the anticipated savings and has determined that these claims are not

accurate. The state actuary remains confident that the rate reductions required in this reform measure are defensible and can be enforced.

"It is critical to have mandated rate reductions which are actuarially sound in order to achieve reduced rates which are fair to both consumers and insurance companies. Insurance companies have enjoyed record and excessive profits for several years now, but with few exceptions have made little effort to voluntarily reduce rates to reasonable levels. Insurance companies in Hawaii make twice the profit as the national average, with only Rhode Island enjoying profits as high as Hawaii. Insurance companies in Hawaii have the best loss ratio, paying out less of the premium dollars collected for claims than any other state in the nation. Yet Hawaii has the second highest premiums in the nation.

"Some insurance companies have criticized this reform measure as requiring a reduction in benefits to consumers. Nothing could be further from the truth. This reform measure makes certain coverages, such as wage loss, optional. Drivers who don't need wage loss, such as retirees, students, those with personal disability coverage, or those with sufficient employer provided TDI, sick leave and vacation benefits will no longer be forced to buy coverage they do not want nor need. Thus the claim that this bill reduces consumer rights is wrong. It in fact increases consumer choices so consumers do not have to buy duplicate coverages and can thereby lower their insurance premiums.

"Finally, insurance company calculations on the savings provided in this reform measure are based upon their present rates. These rates, of course, are already inflated to produce excessive profits. Therefore the savings projected by the insurance companies must be increased to account for those excessive profits which will no longer be allowed under this reform measure.

"Mr. President, this is a sound and fair measure. In hearing the objections voiced by some amateur actuaries on the floor and special interests, against it, I am reminded of Shakespeare's quote in MacBeth, Act 5, Scene 5, which reads in part 'Full of sound and fury, signifying nothing.'"

Senator Kanno rose to support the measure and stated:

"Mr. President, I'm rising to speak in favor of the measure.

"Five years ago, my wife was in a serious accident. She was at a traffic intersection in Waipahu. When the light turned green she proceeded across the intersection. This other driver did not see the red light and hit her broadside at full speed. She had serious injuries and to this day has sharp pains in her neck that she struggles with. Was the insurance company there to help and support my wife? No, they were not. She was an innocent victim.

"Through the help and support of an attorney she was able to get a settlement out of the insurance company. I am not an attorney, but I think that attorneys play a vital role in our society to fight for the rights of our residents. If insurance companies are against this bill, Mr. President, I fully support this measure.

"Thank you."

Senator Iwase rose in response as follows:

"Mr. President, in response to the previous speaker, I appreciate his comments.

"The injury to someone in an auto accident is something that we all are concerned about. I'm concerned about it, as well. Everyone here is. But with respect to this specific example that he cited, or the kinds of examples he cited, presently the no-fault law has unlimited BI. So if there is an auto accident

involving multiple parties, there could be decent, fair recovery. This bill caps it at \$40,000 per accident. If there are multiple parties involved in an accident, your recovery is lower. Your recovery is not fair. Your recovery may not be enough.

"So, with respect to the lawsuit issue, study that portion of that bill because there is not fair recovery for an injured victim.

"Thank you."

Senator Fernandes Salling rose in opposition to the measure and stated:

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

"I'd like to acknowledge the hard work done by both the co-chairs of the committee. But I'm not willing to go home after the many years that we have been fighting here on the floor and tell people on Kauai that yes, I really do believe you're going to see the kind of rate reduction that's being promised by this Legislature. I can't say that in all honesty to them.

"We have seen in the past what the insurance companies have done when we have said we are going to mandate a reduction. We've not been guaranteed any such sort reduction. We've not seen any kinds of reductions along those lines, and until such time that we can say to our people in all honesty that that is what in fact they will be getting from us, from the Legislature, through our attempts for auto reform, I cannot support this measure."

Senator Baker rose again in support and stated:

"Mr. President, I rise for a few additional remarks in support of this measure.

"I know that this measure does not please everyone. The nature of this issue will not allow that outcome. One cannot have a Lexus if one's budget can only support a stripped down Ford. This measure was designed to help bring the cost of automobile insurance down for basic coverage so that adequate coverage was available to most people at a reasonable, affordable price. That is what we have done.

"Yes, we have reduced some of the minimum mandatory coverages. They're still greater than a lot of the minimum mandates in other states. They need to be because we have a higher cost of living here. Unfortunately because of that, insurance for us will always be higher than much of the continental 48 states. This measure provides some very important features. It does provide a disincentive to sue. Under the current law, if you manage to pad your claim and reach up to \$13,901 you could sue for every dollar of the \$13,901. Under this new law, you may not sue from dollar one. You will not be able to recover the deductible amount and that is a disincentive to sue. Talk to any attorney. They will tell you that.

"We have eliminated the ability to pad claims -- a major cost driver under the present system. The definition of personal injury protection benefits are medical benefits as defined in pre-paid health. We've made alternative care optional. We've put a box around the utilization of chiropractic care. Those were the two major ways to pad claims under the current system. We've eliminated substitute services from PIP coverage -- another cost driver. We've eliminated mandatory wage loss coverage. Lots of folks don't need those features now because they're covered in other plans. By eliminating the ability to pad claims we'll be able to keep payouts low and that will help to reduce costs in the system.

"The committee was charged with a couple of goals when we undertook this assignment this year. The first was not to cost-shift to employers -- we don't. The average medical payout under the current system is only \$4,700. We have personal injury protection (medical coverage) of \$10,000. We believe

and our actuary confirms that's adequate to prevent a cost shift to prepaid health plans. This measure does not cost-shift to small business or other employers.

"Secondly, we had to reduce the cost in the system. We've addressed the major cost drivers. We've put a box around litigation. We've put a box around the chiropractic care abuses, and we've eliminated alternative care as part of the basic coverage. We've eliminated claim padding. And we believe, based on an actuarial analysis of the C.D. 1, that we have a defensible savings of between 20-35 percent off basic rates that were in effect July 1, 1996.

"And I would just call everybody's attention to the process that we went through when we lowered workers' compensation rates. Lots of folks said, can't happen; you're not going to get it down. We were able to mandate a 27 percent reduction by the legislation that we passed. It was defended by the commissioner's office. It was defended by DLIR. Not only did small businesses save as a result, but we had additional carriers come into the state. The parallel's with auto insurance reform are apparent. It's logical to assume that we're going to see the same reductions here.

"I think the situation in 1997 is far different than it was in 1992. This is a defensible bill and I urge my colleagues to vote 'yes.'

"Thank you."

Senator Levin rose to support the measure as follows:

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

"A couple of years ago congress was debating a very broad health care insurance reform proposed by President Clinton. That legislation was eventually defeated by a coalition of those who wanted more and those who wanted less. The phrase that came out of that was that 'It's a terrible thing to have the perfect be the enemy of the good.' That situation comes to mind as I hear the sentiments that are being voiced on this floor today with respect to opposition to this bill.

"No one, including the chairs of the Consumer Protection Committee who worked so hard on this bill, is claiming that this is a perfect bill. But, does it move us forward? I certainly think it does.

"I share the sentiments voiced by my colleague from Kauai and I share the sentiments voiced by my colleague from God's country. I even share the sentiments, dare I say, of those expressed by the Minority Floor Leader. I have been a strong advocate of choice. I probably would support pay-at-the-pump, and if this bill doesn't work we can revisit those issues. We can look at additional ways to help the consumer. But does anybody really want to go home, go back to their constituents and tell them that no-fault still lives -- that the existing law is going to continue in place. I think that is the worst of all worlds. If we're going to look for a perfect bill, the question is going to rise, what can we agree on that might be perfect.

"There are a handful of us on this floor, and presumably we have colleagues in the House, as well, who do think that choice is the way to go. But do we really believe that if we had a Special Session that we would come out with a choice bill? I think not.

"I think that we have fought this struggle for years and that we have come up with something that does move us forward and it is worthy of our support.

"Thank you, Mr. President."

Senator Anderson rose again and stated:

"Mr. President, may I have a few words to, I guess you could say, rebut what my colleague from Hilo has said.

"I think Senator Iwase mentioned earlier, we've had three previous bills -- one that went up to the governor that he refused to sign; one that we believe, as Senators, was a very good bill. Last year we sat and did not pass anything because we were looking at a 45 percent reduction for everybody. And that was a good bill.

"We're not here just to pass bills. To work hard is what we're elected for. But just to pass something to be passing something is not what the game is all about. The game is about trying to do the best that you can for the people that elect you and want you to represent them properly.

"We had a good Senate bill. I was proud to stand on this floor and be a Senator and say, hey, I will back the Senate position such as I did with the budget. But when we crumble in and give everything and end up with something that we're not proud of, I would rather go back with nothing. And I can go ahead and explain that to my constituents. I have no problem with that. And as I said earlier, I have lots of friends and family on your island that you represent, my friends and family. I would rather you tell them that you cannot go ahead and buy this bill because it doesn't give them anything.

"Thank you, Senator."

Senator M. Ige opposed the measure as follows:

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

"Mr. President, I was expecting to say anything until the Senate Vice President stood and mentioned the perfect bill that we're all trying to work towards. But, Mr. President, I will go home. I'll vote 'no' and go home and tell my constituents and face the criticism on this measure, Senator Levin. I believe it is more important that we live up to the spirit of the Senate President in his opening day speech that we all work together to provide a measure that we all can agree to.

"Let me just read from the Senate Journal on the First Day: 'The lesson we have learned is that there is strength in cooperation. Working together, we can overcome all obstacles, yet sustain Hawaii as a very special place, our island home, where impossible dreams are possible.' And that was said by our Senate President.

"Senator Levin, my feeling is yes, we can come to consensus if there is an extension, like the Speaker is contemplating, that we should not throw in the towel, that we should continue to work together as a team to make our community a better place.

"With that, Mr. President, I would like to say I will vote 'no' and I will go home and face the music of my community.

"Thank you."

Senator Chun Oakland then requested that her remarks in support of the measure be inserted into the Journal and the Chair having so ordered, Senator Chun Oakland's remarks read as follows:

"Mr. President, I sat through numerous hearings for the past four years on motor vehicle insurance reform. The overwhelming concerns voiced at these hearings by consumers on various proposals on this issue were: (1) insurance companies denying legitimate claims they made to their insurance company; (2) the unreasonable length and process of the peer review element of the present system; (3) the cost of insurance premiums being unaffordable; and (4) the need to have a greater ability to control their own destinies when they do get injured.



"My family has only basic insurance coverage. That is all we can afford. I'm probably the only legislator who has basic minimum coverage. I know I am typical of many people who drive. I believe this measure is a step forward and very much appreciate our co-chairs of CPI and their committee in working extremely hard on this product. I thank the consumers, providers and others for all their help."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 171 was adopted and H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," having been read throughout, and Roll Call vote having been requested, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Aki, Anderson, Bunda, Fernandes Salling, Ige, M., Iwase, Kawamoto, Sakamoto, Slom, Solomon, Tam, Tanaka).

At 11:31 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:34 o'clock a.m.

### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 144 to 150) were read by the Clerk and were disposed of as follows:

#### Senate Resolution

No. 144 "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, NINETEENTH LEGISLATURE OF THE STATE OF HAWAII, REGULAR SESSION OF 1997, WITH AN INSPIRATIONAL INVOCATION."

Offered by: Senators Ihara, McCartney, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 144, was adopted.

No. 145 "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE NINETEENTH LEGISLATURE, REGULAR SESSION OF 1997."

Offered by: Senators Ihara, McCartney, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 145, was adopted.

No. 146 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-FIRST DAY."

Offered by: Senators McCartney, Ihara, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 146, was adopted.

No. 147 "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE."

Offered by: Senators McCartney, Ihara, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 147, was adopted.

No. 148 "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK."

Offered by: Senators Ihara, McCartney, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 148, was adopted.

No. 149 "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE NINETEENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF."

Offered by: Senators Ihara, McCartney, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 149, was adopted.

No. 150 "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT."

Offered by: Senators McCartney, Ihara, Anderson.

On motion by Senator McCartney, seconded by Senator Slom and carried, S.R. No. 150, was adopted.

Senator Solomon rose on a point of personal privilege as follows:

"Mr. President, just on a point of personal privilege.

"Mr. President, I would like to thank all my colleagues for all of their tolerance and indulgence. I think no matter what, we had a great session, and at least now I think we have come to the understanding that we can all agree to disagree. I always tried to be as persuasive as I possibly could. (Laughter.)

"Thank you very much, Mr. President. Thank you all for this wonderful session. Aloha."

Senator Slom rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege.

"Thank you, Mr. President, and I thank my colleague from the Big Island. I just want to thank all my colleagues for all of their help and support and assistance in this my first session. It was interesting because people kept asking me, are you having fun; are you having fun. And I'd say, well, this is a wonderful group. They're a fun-loving bunch of men and women, and of course we always have fun.

"But we weren't sent here to have fun. We were sent here to make change. We were sent here to improve the lot of every one of our citizens. We were sent here to improve our business climate which still ranks 50th in the nation. We were sent here to give people more take-home pay. We were sent here to improve workers' compensation and to have full and open hearings on everything that we do and we discuss. We were sent here to create opportunities and choices and provide incentives. We were sent here to stop the brain-drain and to stop the bankruptcies and stop the foreclosures, and to give sovereignty to each and every one of us and without economic sovereignty there can be no true individual sovereignty or freedom. We were sent here to do a job and to remember also that if we are to settle anytime on any issue for the lesser of two evils, that we are always still settling for evil.

"We have made a great many accomplishments. We have gotten a lot of things out of the way. And we'll be back; we'll be back to focus more closely and more carefully on those problems that affect each and every one of us. And I'll still be here to read the obituary list but I hope that we can do something to stop that reading, to make that list much smaller.

"And so I again thank you for all of your help even though I did not get ice cream after my last vote. And I did count, Mr. President, that since the beginning of this session the word

collaboration was used 594 times. The Clerk may check to see if my mathematics is accurate. And so what I would like to leave my colleagues is the Webster's definition of that word that you all use so frequently and so openly. I will hand out a copy to you but, of course, the No. 1 definition is, 'to work together, especially in a joint intellectual effort,' and I know there was a great deal of intellectualizing that went on here day by day. However, the second primary definition of collaborate is, 'to cooperate treasonably, as with an enemy occupying one's country.' I would just make sure that we're all using the first definition (laughter) and that we can tell the difference so that we do not have further instances of government occupying every individual's way of life, way of thinking, way of making a living.

"So, again to you, Mr. President, and to my colleagues, thank you and mahalo. Aloha."

Senate President Mizuguchi then delivered his closing remarks as follows:

"Members of the Senate, I will use the K-I-S-S technique -- Keep It Short and Sweet -- because I'm sure you don't want a long-winded speech right now.

"Three and one-half months ago we set out on a journey to take care of some unfinished business. We heard the public's message loud and clear and worked tirelessly to settle that unfinished business.

"I was heartened to see that collaboration seemed to be the watchword for this session. Partnering efforts and greater interaction between members of the Senate and their committees instilled a spirit of cooperation.

"It's very easy for critics to sit on the sidelines and judge our legislative process -- what we've done and how we've done it. In the face of these same critics who said that our co-chair system would not work, you proved them wrong. The result is a legislative package that we all can be proud of.

"Your Herculean efforts took care of unfinished business and I'm very grateful as your Senate President.

"Amidst changing federal policies and mandates, larger-than-expected revenue shortfalls, and painful budget cuts, people expected -- and demanded -- that their needs be met. That was our challenge during this legislative session. In spite of tremendous outside forces beyond our control, I believe we met that challenge. As best we could, we provided for the people ... first and foremost. But our work is not yet done. People will continue to ask: 'What will you do for me tomorrow?' We will need to face that challenge by defining a new Hawaii.

"Although as an island state we have physical and resource limitations, I believe that bold, creative revenue-enhancing initiatives can help re-define Hawaii. I look forward to working with all of you to develop them.

"The public, special-interest groups, the media, and others will critique and grade our work this session. We might not receive rave reviews but no matter what the critics say, you can go home today knowing that you did your best to support the public's interest.

"I thank you Senators, both majority and minority, and all of your staff for your commitment and hard work on behalf of the people of this great State of Hawaii. My compliments for a job well done. Aloha and mahalo."

#### ADJOURNMENT

Senator Ihara moved that the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, adjourn Sine Die, seconded by Senator Slom and carried.

At 11:45 o'clock a.m., the President rapped his gavel and declared the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, adjourned Sine Die.

## ATTACHMENT "I"

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April 29, 1997

TO: Insurance Commissioner Rey Graulty

FROM: Martin M. Simons

Subject: Hawaii's New Automobile Insurance Law.

Hawaii's new automobile insurance law gives Hawaii's drivers a greater choice in providing for their automobile insurance needs. This legislation continues to control the legal costs associated with minor injuries and eliminates the duplicate payment of claims that are already covered through other forms of insurance, thereby saving the Hawaii consumer millions of dollars in annual automobile insurance premiums while continuing to provide the much needed coverages associated with driving an automobile.

There are savings included in the new law for every purchaser of insurance in the State. The legislature has addressed those issues that have been the major contributors in driving up the cost of insurance in Hawaii. While automobile insurance rates will always be driven by the higher than average cost of products and services in the State, this law will provide for substantial reductions in the price of Hawaii's automobile insurance. Additional savings are available to those insurance buyers who elect not to purchase certain coverage that they decide they do not need. Hawaii insurance purchasers can expect to see savings of as much as twenty to thirty-five percent from last year's rates as the new rates and premiums are adjusted for the effects of this law. By deciding upon his or her own insurance needs, each citizen is in a position to determine the amount of coverage needed, and to directly impact upon his or her individual insurance cost savings.

In addition, the law provides for increased powers on the part of state officials in investigating and punishing those who are found guilty of fraud in association with virtually all parts of the insurance process. Activities that have provided costly delays in the automobile insurance process have been discontinued and the abilities of state officials to prevent costly excesses have been improved.

Automobile insurance legislation is a complex and intricate issue. Contributions to this much needed insurance reform have come from all sectors involved in the automobile insurance process including consumers, medical providers, insurers and public officials.

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April 29, 1997

TO: Commissioner Rey Gaulty

FROM: M. M. Simons

SUBJECT HB100 HD1 SD1 CD1  
(1997-2599 HB100 CD1 SMA-9)

I have reviewed the language in the captioned Bill which was faxed to me late in the evening on April 28, 1997 Hawaii time.

The provisions in this Bill will provide for savings in the premiums charged for basic insurance (i.e., mandated coverages) of between 20 percent and 35 percent from the rates that were in effect on July 1, 1996.

## ATTACHMENT "II"

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May 1, 1997

TO: Commissioner Rey Grauly

FROM: Martin M. Simons

SUBJECT: HB100 CD1

The legislature has received letters from State Farm, The Hawaii Insurers' Council and the National Association of Independent Insurers. This letter is intended to provide additional information relative to those letters and the issues raised by those parties.

State Farm has reduced its estimate of expected savings from those provided previously, asserting that the reduction is due to an increase in medical coverage and an increase in the liability limits from those which were included in the prior versions. They fail to mention that the deductible has been increased through the use of the "covered loss deductible" concept. In prior analyses, State Farm has estimated that the savings will increase by from 6% to 7% on the basic policy by moving the deductible from \$5,000 to \$10,000. That means that a 13% savings under a \$5,000 deductible will increase to 19%-20% with a \$10,000 deductible. The covered loss deductible will produce a result quite similar to that for a \$10,000 deductible, and the resulting difference in pricing will also be similar. They also contend that the mandated rate reductions in each of the drafts has not changed when the lower end of the range of reductions has, in fact, been revised from 25% in previous proposals down to 20% in this Bill.

State Farm has provided the legislature with estimates based upon their current rate levels. The reductions in HB100 CD1 however, relate to reductions from the rates that were in effect on July 1, 1996. Since State Farm had reductions in the rates for the basic policy mandated coverages since July 1, 1996, these reductions should be added to those contained in their April 10, 1997 letter to the Senate President. Taking the above issues into account, it appears that State Farm is in agreement with the savings as they are stated in the Bill.

Absent from any of the industry responses and pricing analyses are the extremely favorable recent trends in clam frequency and average claim costs for automobile insurance in Hawaii. Following 1995 experience, which produced the lowest personal automobile loss ratios in the country, claim frequency and severity trends showed

substantial additional improvements in 1996. The source of this information is the fast track data through the end of 1996 that is presented by the insurance industry to The National Association of Insurance Commissioners. In spite of the fact that the loss ratios have dropped dramatically, and insurer profits have risen accordingly, there has only been a modicum of rate reductions filed with the Insurance Division that incorporate much or even any of these improvements. As insurers file for rates under the new system in order to assure that those rates are not excessive or inadequate, these favorable trends will have to be taken into consideration. HB100 CD1 gives the insurance commissioner the power, and in fact the duty, to do so.

In State Farm's analysis of the family that purchases higher than minimum limits, this family has purchased and continues to purchase \$50,000 of PIP coverage. This includes medical as well as wage loss coverage in excess of the minimum. Medical coverage in excess of \$10,000 is costly. The added benefit to many already protected Hawaii consumers is questionable. HB100 CD1 allows this family to purchase additional wage loss coverage up to their desired level without purchasing medical coverage in excess of the minimum. If the insurance industry expended the same amount of effort in educating this policyholder of the true benefits or lack thereof of purchasing high limits of medical coverage as they have in convincing the legislature of the shortcomings of HB100 CD1 perhaps this family would see a greater savings.

The insurance industry continues to contend that the savings in HB100 CD1 are due strictly from reductions in mandated coverages. Ignored in such a statement are criteria such as the following:

- 1) There has been a great deal of discussion through these proceedings as well as all of the automobile insurance discussions over the past years relating to the effect upon rates of the "padding" of claims. Claims padding occurs when claimants seek additional treatments and incur other additional economic losses in order to reach a threshold or in this case a deductible and thereby gain the ability to litigate against a negligent party to an automobile insurance case. Claim padding has been the single major cost driver under the monetary threshold, causing the threshold to become a moving target in order to keep a specific percentage of claims out of the litigation process. Insurers have alleged that the \$5,000 deductible contained in HB100 CD1 will increase the amount of claim padding since the \$5,000 level is substantially below the current monetary threshold of \$13,900.

Actually, HB100 CD1 addresses the claim padding problem in several ways, and a comparison of the \$5,000 to \$10,000 deductible level with the current \$13,900 monetary threshold is meaningless unless all of the issues are considered. HB100 CD1 does not permit the use of wage losses in attaining the deductible level while wage losses were used extensively to meet the monetary threshold. In addition, chiropractic and other alternative care provisions were used extensively to meet the monetary threshold. HB100 CD1 makes it virtually impossible to use alternative care expenses to pad claims in order to reach the deductible. Most important, once the monetary threshold was pierced, claimants were able to sue for every dollar of economic loss, including all those expenses that were "padded" to reach the threshold. The deductible reduces each claim that reaches litigation by an amount between \$5,000 and \$10,000 depending upon the medical expenses incurred since those are the only expenses that are used in deriving the ability to sue and the deductions are commensurate with coverage that is provided elsewhere in the policy. This process directly addresses and substantially reduces the abuse that was inherent under the monetary threshold. Comparisons between a \$13,900 monetary

threshold and a \$5,000 to \$10,000 covered loss deductible without taking these very significant differences into account are misleading at best.

2) HB 100 CD1 directly addresses the Legislature's concerns relative to the high average bodily injury liability claim cost in Hawaii. Each Bodily Injury Claim will be reduced under HB100 CD1 from their levels under the current monetary threshold. Claims are reduced by the deductible that previously included first dollar coverage due to the monetary threshold concept, providing for a direct reduction in the average claim cost. Even if claim expenses are padded to the same extent as they have been under the current system (which is unlikely under the restrictions included in the Bill), there will be a reduction in the average bodily injury claim cost that will impact upon the experience and the rates for all policyholders whether they purchase minimum limits or greater than minimum limits.

3) The limitations placed upon chiropractic visits will impact upon the experience for all of Hawaii's automobile insurance purchasers by reducing the amount of claim dollars paid for these providers. In addition, the family referred to in State Farm's analysis who purchase more than the minimum coverages, will now have the option to purchase alternative care protection or not. It is now the purchaser rather than the State who will make those decisions. If families wish to save additional money by eliminating alternative care providers and by accepting limited chiropractic coverage, they may now do so.

4) Under the current system, insurance purchasers are required to purchase coverage for wage losses regardless of whether they are wage earners or not and regardless of whether they have wage loss coverage elsewhere or not. This includes retired people as well as those with wage loss coverage through a program provided by their employer. HB100 CD1 provides the opportunity for people to save money by not having to purchase coverage for funds they will never collect or for losses that are covered elsewhere. These are real savings provided for automobile insurance policyholders whether they purchase minimum limits or higher limits of coverage.

5) HB100 CD1 gives the Hawaii automobile insurance purchaser several other options that were not available in the past, including the ability to purchase wage loss coverage without having to purchase commensurate medical coverage.

6) As has been stated several times, the reductions stated in the Bill are from rates that were in effect on July 1, 1996. The reductions include the impact of the revised medical fee schedules that are further revised in HB100 CD1. It is the language of HB100 CD1 that gives the commissioner the power to reduce rates for the impact of these prior revisions. These decreases should have been taken immediately by all insurers, but it has been found necessary to include language such as that which is contained in HB100 CD1 to get those reductions to a substantial number of Hawaii's automobile insurance purchasers, regardless of the levels of insurance purchased.

7) The replacement of the current unlimited Bodily Injury liability limits with limits that are specific and definable will impact upon the rates paid by all Hawaii policyholders, regardless of the limits purchased.

8) The significant and substantial reductions in claim frequency and average claim cost that have been all but ignored by much of the insurance industry will impact upon

the calculation of rates for all Hawaii policyholders, regardless of the limits purchased. These improvements have continued throughout 1996. HB100 CD1 gives the Commissioner the ability, given this highly profitable situation, to provide savings for all policyholders in the State, and will provide savings regardless of the limits purchased.

9) While the effects of the increased fraud provisions are not necessarily definable at this time, the fraud sections of HB100 CD1 will produce savings for all Hawaii policyholders, regardless of the limits purchased. These savings will take place over the next few years.

10) The effect of the elimination of peer review will similarly take some time to find its way into the rates. If the elimination of peer review does provide for less delays and faster claim payments, and if those faster claim payment processes do, in fact, save money, as many believe will occur, then the experience will allow for additional rate reductions for all Hawaii policyholders over the next few years, regardless of the limits purchased.

I have refrained from giving specifics of the rate reductions since these reductions will vary between insurers and each of the individual savings are interrelated. A change in one item will impact upon others, and the misuse of these estimates could be detrimental to the process. Keeping this in mind, I request that these numbers be viewed as guides to areas within the Bill that provide for savings and the amount of estimated savings derived from each item. The actual savings will be determined from individual insurer filings, the actual statistical information included in those filings and, if required, the discovery material obtained in the rate hearing process. Please refrain from adding or otherwise combining these estimates (either the minimums or maximums) as this will produce erroneous expectations. The following numbers are meant to provide an estimate of what is expected to be found within the rate filings submitted to the commissioner given the information available to us at this time. If I sound overly cautious, it's because of a fear that these estimates may be misused, and that such misuse will result in our inability to adequately defend the reductions in court. These are some of the reasons for a wide range of expected reductions such as that which is included in HB100 CD1. The resulting rate reductions that are expected to be derived from HB100 CD1 are between 20% and 35% for mandated coverages from the rates that were in effect on July 1, 1996, derived in light of the following:

PIP revision from \$20,000 PIP to \$10,000 medical with limited chiropractic coverage, no other alternative care coverage and no wage loss coverage =

approximate savings of 12% to 17%.

BI revision from 25/unlimited with monetary threshold to 24/40 BI liability with covered loss deductible =

approximate savings of 4% to 8%.

Reduction from previous med fee schedule change =

approximate savings of 5% to 8%.



Reductions to be effected due to Commissioner's ability within HB100 CD1 to reduce rates based upon favorable experience =

approximate savings of 7% to 15%.

Additional future reductions due to fraud provisions are not defined or included.

Additional future reductions due to peer review elimination are not defined or included.

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I sincerely hope that this additional information will assist the legislature in making their decision. It is unfortunate that there doesn't seem to be a magical solution; one that will please all the parties involved in providing and purchasing automobile insurance in Hawaii. Throughout this process, I have attempted to assist you in responding to requests presented by the legislature for information and clarification of individual issues, concerns and proposals and to aid the decision makers in arriving at a workable solution to Hawaii's automobile insurance problems. As is now obvious to all, the process of amending automobile insurance legislation is a technical and extremely complex and difficult one.

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

**Gov. Msg. No. 336**, informing the Senate that on May 2, 1997, he signed the following bills into law:

House Bill No. 1613 as Act 96, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR AUTOMATED SYSTEMS DEVELOPMENT FOR THE DEPARTMENT OF THE ATTORNEY GENERAL";

House Bill No. 1646 as Act 97, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR AN AUTOMATED TAX SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION";

House Bill No. 1719 as Act 98, entitled: "MAKING EMERGENCY APPROPRIATIONS FOR THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT AND FOR THE BLIND SHOP REVOLVING AND HANDICRAFT FUND"; and

House Bill No. 1840 as Act 99, entitled: "RELATING TO AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION".

**Gov. Msg. No. 337**, informing the Senate that on May 7, 1997, he signed into law House Bill No. 1581 as Act 100, entitled: "MAKING AN EMERGENCY APPROPRIATION FOR AGRICULTURAL RESOURCE MANAGEMENT."

**Gov. Msg. No. 338**, informing the Senate that on June 2, 1997, he signed the following bills into law:

Senate Bill No. 377 as Act 101, entitled: "RELATING TO IMPAIRED DRIVERS";

House Bill No. 116 as Act 102, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

Senate Bill No. 991 as Act 103, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 20 as Act 104, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING"; and

Senate Bill No. 870 as Act 105, entitled: "RELATING TO PICKUP TRUCKS."

**Gov. Msg. No. 339**, informing the Senate that on June 4, 1997, he signed into law House Bill No. 417 as Act 106, entitled: "RELATING TO THE STATEWIDE TRAIL AND ACCESS PROGRAM."

**Gov. Msg. No. 340**, informing the Senate that on June 5, 1997, he signed the following bills into law:

Senate Bill No. 1951 as Act 107, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 208 as Act 108, entitled: "RELATING TO TAXATION."

**Gov. Msg. No. 341**, informing the Senate that on June 5, 1997, he signed the following bills into law:

House Bill No. 1771 as Act 109, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1774 as Act 110, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1775 as Act 111, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1776 as Act 112, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1777 as Act 113, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1778 as Act 114, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 1781 as Act 115, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS"; and

House Bill No. 1792 as Act 116, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

**Gov. Msg. No. 342**, informing the Senate that on June 9, 1997, he signed into law House Bill No. 1575 as Act 118, entitled: "RELATING TO MILK."

**Gov. Msg. No. 343**, informing the Senate that on June 10, 1997, he signed into law House Bill No. 1105 as Act 117, entitled: "RELATING TO DENTAL HEALTH."

**Gov. Msg. No. 344**, informing the Senate that on June 16, 1997, he signed the following bills into law:

House Bill No. 1 as Act 119, entitled: "RELATING TO MOTOR CARRIER SAFETY LAW";

House Bill No. 2 as Act 120, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 65 as Act 121, entitled: "RELATING TO PAWNBROKERS";

House Bill No. 214 as Act 122, entitled: "RELATING TO KEAHOLE AIRPORT";

House Bill No. 248 as Act 123, entitled: "RELATING TO HIGHER EDUCATION";

House Bill No. 258 as Act 124, entitled: "RELATING TO THE CONVENTION CENTER";

House Bill No. 264 as Act 125, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE WILCOX HEALTH SYSTEM";

House Bill No. 293 as Act 126, entitled: "RELATING TO PUPIL TRANSPORTATION";

House Bill No. 351 as Act 127, entitled: "RELATING TO ECONOMIC DEVELOPMENT";

House Bill No. 480 as Act 128, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 581 as Act 129, entitled: "RELATING TO TORT LIABILITY";

House Bill No. 582 as Act 130, entitled: "RELATING TO COMBAT";

House Bill No. 636 as Act 131, entitled: "RELATING TO REAL PROPERTY";

House Bill No. 777 as Act 132, entitled: "RELATING TO PLANNED COMMUNITY ASSOCIATIONS";

House Bill No. 780 as Act 133, entitled: "RELATING TO CONDOMINIUMS";

House Bill No. 787 as Act 134, entitled: "RELATING TO DEPOSITS OF PUBLIC FUNDS";

House Bill No. 793 as Act 135, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIMES";

House Bill No. 816 as Act 136, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 872 as Act 137, entitled: "RELATING TO THE EAST-WEST CENTER";

House Bill No. 912 as Act 138, entitled: "RELATING TO SERVICE OF PROCESS";

House Bill No. 931 as Act 139, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT";

House Bill No. 939 as Act 140, entitled: "RELATING TO MOTOR VEHICLE INDUSTRY TAXES AND FEES";

House Bill No. 1012 as Act 141, entitled: "RELATING TO SCHOOL DISCIPLINE";

House Bill No. 1023 as Act 142, entitled: "RELATING TO THE SECONDARY SCHOOL STUDENTS CONFERENCE";

House Bill No. 1036 as Act 143, entitled: "RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS";

House Bill No. 1132 as Act 144, entitled: "RELATING TO THE RECODIFICATION OF THE EDUCATION STATUTES";

House Bill No. 1188 as Act 145, entitled: "RELATING TO A SYMPOSIUM ON CRIME IN HAWAII";

House Bill No. 1243 as Act 146, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

House Bill No. 1247 as Act 147, entitled: "RELATING TO ENVIRONMENTAL PROTECTION";

House Bill No. 1250 as Act 148, entitled: "RELATING TO ENVIRONMENTAL RESPONSE";

House Bill No. 1300 as Act 149, entitled: "RELATING TO CRIME";

House Bill No. 1309 as Act 150, entitled: "RELATING TO CONDOMINIUM PROPERTY REGIME";

House Bill No. 1367 as Act 151, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY";

House Bill No. 1381 as Act 152, entitled: "RELATING TO TAX APPEAL COURT FEES";

House Bill No. 1385 as Act 153, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 1388 as Act 154, entitled: "RELATING TO TRAFFIC INFRACTIONS";

House Bill No. 1390 as Act 155, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 1395 as Act 156, entitled: "RELATING TO STATEWIDE TRAFFIC CODE";

House Bill No. 1410 as Act 157, entitled: "RELATING TO ELECTION RECORDS AND USES THEREOF";

House Bill No. 1450 as Act 158, entitled: "RELATING TO FINANCIAL SERVICES LOAN COMPANIES";

House Bill No. 1485 as Act 159, entitled: "RELATING TO AQUACULTURE LOANS";

House Bill No. 1547 as Act 160, entitled: "RELATING TO SMALL BOAT HARBORS";

House Bill No. 1573 as Act 161, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 1574 as Act 162, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 1576 as Act 163, entitled: "RELATING TO MEASUREMENT STANDARDS";

House Bill No. 1582 as Act 164, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 1585 as Act 165, entitled: "RELATING TO CRIMINAL HISTORY RECORD INFORMATION";

House Bill No. 1587 as Act 166, entitled: "RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION";

House Bill No. 1593 as Act 167, entitled: "RELATING TO PUBLIC CONTRACTS";

House Bill No. 1610 as Act 168, entitled: "RELATING TO INDEMNIFICATION OF THE UNITED STATES";

House Bill No. 1615 as Act 169, entitled: "RELATING TO VACATION ALLOWANCES";

House Bill No. 1617 as Act 170, entitled: "RELATING TO SUGGESTION AWARDS";

House Bill No. 1619 as Act 171, entitled: "RELATING TO THE CREATION OF TRUSTS FOR THE DEFERRED COMPENSATION PLANS";

House Bill No. 1620 as Act 172, entitled: "RELATING TO EMPLOYMENT SECURITY LAW";

House Bill No. 1631 as Act 173, entitled: "MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES";

House Bill No. 1634 as Act 174, entitled: "RELATING TO THE HAWAII PAROLING AUTHORITY";

House Bill No. 1638 as Act 175, entitled: "RELATING TO CORRECTIONAL INDUSTRIES";

House Bill No. 1642 as Act 176, entitled: "RELATING TO THE ELECTRONIC FILING OF TAX RETURNS";

House Bill No. 1643 as Act 177, entitled: "RELATING TO PAYMENTS TO THE STATE BY ELECTRONIC FUNDS TRANSFER";

House Bill No. 1645 as Act 178, entitled: "RELATING TO CONFORMING TAX PROVISIONS TO THE UNIFORM LIMITED LIABILITY COMPANY ACT";

House Bill No. 1648 as Act 179, entitled: "RELATING TO REMITTANCES TO THE DEPARTMENT OF TAXATION";

House Bill No. 1654 as Act 180, entitled: "RELATING TO SUPERVISION OF ACCOUNTS";

House Bill No. 1655 as Act 181, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 1656 as Act 182, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 1657 as Act 183, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 1658 as Act 184, entitled: "RELATING TO DRIVERS EDUCATION PROGRAM";

House Bill No. 1659 as Act 185, entitled: "RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII";

House Bill No. 1660 as Act 186, entitled: "RELATING TO PROCUREMENT";

House Bill No. 1662 as Act 187, entitled: "RELATING TO THE STATE AQUARIUM";

House Bill No. 1687 as Act 188, entitled: "RELATING TO ELECTRONIC FUNDS TRANSFERS";

House Bill No. 1688 as Act 189, entitled: "RELATING TO KING KAMEHAMEHA CELEBRATION COMMISSION";

House Bill No. 1689 as Act 190, entitled: "RELATING TO THE EXPENDITURE OF STATE FUNDS";

House Bill No. 1690 as Act 191, entitled: "RELATING TO REVENUE MAXIMIZATION";

House Bill No. 1695 as Act 192, entitled: "RELATING TO ENERGY PERFORMANCE CONTRACTING FOR PUBLIC FACILITIES";

House Bill No. 1696 as Act 193, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY";

House Bill No. 1706 as Act 194, entitled: "RELATING TO THE EMPLOYMENT AND TRAINING FUND";

House Bill No. 1709 as Act 195, entitled: "RELATING TO THE HAWAII TEACHER STANDARDS BOARD";

House Bill No. 1712 as Act 196, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1713 as Act 197, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1715 as Act 198, entitled: "RELATING TO FRAUDULENT USE OF CREDIT CARDS";

House Bill No. 1716 as Act 199, entitled: "RELATING TO THE DISPOSITION OF UNCLAIMED FINANCIAL ASSISTANCE BENEFITS";

House Bill No. 1721 as Act 200, entitled: "RELATING TO ELIGIBILITY FOR PAYMENT PROGRAMS";

House Bill No. 1724 as Act 201, entitled: "RELATING TO MEDICAL ASSISTANCE";

House Bill No. 1731 as Act 202, entitled: "RELATING TO HAWAII STATE PUBLIC LIBRARY SYSTEM";

House Bill No. 1732 as Act 203, entitled: "RELATING TO RECORDATION";

House Bill No. 1745 as Act 204, entitled: "RELATING TO BOATING ENFORCEMENT";

House Bill No. 1746 as Act 205, entitled: "RELATING TO DUTIES OF THE KAHO'OLAWA ISLAND RESERVE COMMISSION";

House Bill No. 1752 as Act 206, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1753 as Act 207, entitled: "RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND";

House Bill No. 1757 as Act 208, entitled: "RELATING TO CONCESSIONS ON PUBLIC PROPERTY";

House Bill No. 1768 as Act 209, entitled: "RELATING TO THE TRANSFER OF LAND TO THE DEPARTMENT OF HAWAIIAN HOME LANDS";

House Bill No. 1796 as Act 210, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";

House Bill No. 1810 as Act 211, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 1812 as Act 212, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 1814 as Act 213, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 1818 as Act 214, entitled: "RELATING TO PRESCRIPTION DRUGS";

House Bill No. 1819 as Act 215, entitled: "RELATING TO PRESCRIPTION DRUGS";

House Bill No. 1829 as Act 216, entitled: "RELATING TO FEES COLLECTED BY THE DEPARTMENT OF HEALTH";

House Bill No. 1831 as Act 217, entitled: "RELATING TO THE DEPARTMENT OF HEALTH";

House Bill No. 1836 as Act 218, entitled: "RELATING TO DRINKING WATER";

House Bill No. 1838 as Act 219, entitled: "RELATING TO THE ENVIRONMENT";

House Bill No. 1842 as Act 220, entitled: "RELATING TO THE COMMUNITY RESIDENTIAL TREATMENT SYSTEM";

House Bill No. 1843 as Act 221, entitled: "RELATING TO WATER POLLUTION CONTROL";

House Bill No. 1854 as Act 222, entitled: "RELATING TO HAWAII HURRICANE RELIEF FUND BONDS";

House Bill No. 1855 as Act 223, entitled: "RELATING TO THE COMPLIANCE RESOLUTION FUND";

House Bill No. 1858 as Act 224, entitled: "RELATING TO LIMITED LIABILITY COMPANIES";

House Bill No. 1863 as Act 225, entitled: "RELATING TO CONSUMER AND BUSINESS EDUCATION";

House Bill No. 1864 as Act 226, entitled: "RELATING TO ACUPUNCTURE PRACTITIONERS"; and

House Bill No. 1878 as Act 227, entitled: "RELATING TO PUBLIC ACCOUNTANCY."

**Gov. Msg. No. 345**, informing the Senate that on June 17, 1997, he signed the following bills into law:

House Bill No. 1893 as Act 229, entitled: "RELATING TO PHYSICAL THERAPY BOARD APPOINTMENTS";

House Bill No. 1894 as Act 230, entitled: "RELATING TO THE MEMBERSHIP OF THE ELEVATOR MECHANICS LICENSING BOARD";

House Bill No. 1895 as Act 231, entitled: "RELATING TO APPOINTMENT OF ADVISORY COMMITTEES FOR REGULATORY PROGRAMS";

House Bill No. 1896 as Act 232, entitled: "RELATING TO THE DEPOSIT OF PROFESSIONAL AND VOCATIONAL LICENSE FEES";

House Bill No. 1899 as Act 233, entitled: "RELATING TO THE INSURANCE CODE";

House Bill No. 1900 as Act 234, entitled: "RELATING TO INSURANCE LICENSING";

House Bill No. 1902 as Act 235, entitled: "RELATING TO NURSING HOME ADMINISTRATORS";

House Bill No. 1904 as Act 236, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 1965 as Act 237, entitled: "RELATING TO HARMFUL AQUATIC LIFE";

House Bill No. 2016 as Act 238, entitled: "RELATING TO THE ESTABLISHMENT OF THE UNIVERSITY OF HAWAII-HILO THEATER REVOLVING FUND";

House Bill No. 2019 as Act 239, entitled: "RELATING TO THE ENVIRONMENT";

House Bill No. 2060 as Act 240, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET";

House Bill No. 2110 as Act 241, entitled: "RELATING TO PUBLIC UTILITY EXEMPTIONS FROM REAL PROPERTY TAXES";

House Bill No. 2238 as Act 242, entitled: "RELATING TO STATE PARKS";

House Bill No. 2305 as Act 243, entitled: "RELATING TO FORGERY";

House Bill No. 2308 as Act 244, entitled: "RELATING TO PROBATE";

Senate Bill No. 5 as Act 245, entitled: "RELATING TO MOTORSPORTS INSURANCE";

Senate Bill No. 130 as Act 246, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 138 as Act 247, entitled: "RELATING TO INSURANCE REIMBURSEMENTS OF MENTAL HEALTH

AND SUBSTANCE ABUSE BENEFITS FOR ADVANCED PRACTICE REGISTERED NURSES";

Senate Bill No. 141 as Act 248, entitled: "RELATING TO LEASE-PURCHASE AGREEMENTS";

Senate Bill No. 152 as Act 249, entitled: "RELATING TO TIME SHARING"; and

Senate Bill No. 161 as Act 250, entitled: "RELATING TO CHILD CARE FACILITIES."

**Gov. Msg. No. 346**, dated June 16, 1997, transmitting his statements of objection to Senate Bill Nos. 426, 843, 1032 and 1082 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 426

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 426, entitled 'A Bill for an Act Relating to Culture.'

The purposes of Senate Bill No. 426 are: (1) to establish a 'culture and the arts revolving fund' which shall be administered by the State Foundation on Culture and the Arts, which shall receive revenues generated from the sale of goods and services, and which shall have expenditures limited to \$50,000 annually; and (2) to require the Department of Land and Natural Resources to consult with the kahuna nui of the Mo'okini Heiau on all physical alterations and cultural matters relating to the historical sites within the Kohala Historical Sites State Monument.

While this bill provides increased support for cultural and commemorative events, it is not necessary. The State Foundation on Culture and the Arts already administers a trust fund and a works of art special fund. Moreover, the 'culture and the arts revolving fund' established by this bill does not comply with the Legislative Auditor's criteria for special funds (i.e., a clear link between the source of the fund and its intended beneficiaries and the ability to be self-sustaining). Finally, since the Department of Land and Natural Resources already consults with the kahuna nui of the Mo'okini Heiau on projects impacting the Kohala Historical Sites State Monument, it is unnecessary to include such a requirement in a statute.

For the foregoing reasons, I am returning Senate Bill No. 426 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 426, entitled 'A Bill for an Act Relating to Culture,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 426 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 426 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 843

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 843, entitled 'A Bill for an Act Relating to Small Business Taxation.'

The purpose of Senate Bill No. 843 is to provide a state income tax credit limited to \$4,000 to qualified small businesses. The credit would equal the amount of the guaranty fee paid to the United States Small Business Administration (SBA).

The state small business tax credit would only go into effect after Congress enacts a similar federal tax credit, also based on the SBA guaranty fee. According to the local SBA office, Congress is not considering such a credit; therefore, this bill will not take effect within the near future and may never take effect.

If this bill does eventually take effect, it unfairly benefits a small group of businesses that have already benefited from access to loan funds. Moreover, the administrative costs to implement this bill would outweigh the potential benefits and there appears to be no need to provide a state tax credit to support a federal program.

For the foregoing reasons, I am returning Senate Bill No. 843 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 843, entitled 'A Bill for an Act Relating to Small Business Taxation,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 843 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 843 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1032

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1032, entitled 'A Bill for an Act Relating Marriage and Family Therapists.'

The purpose of Senate Bill No. 1032 is to regulate the profession of marriage and family therapists by specifying the education, experience, and examination requirements for licensure.

However, State regulation of marriage and family therapists is not warranted because: (1) there is limited evidence of actual abuse or harm by, and no recorded consumer complaints against, marriage and family therapists in the State; (2) the licensing fees that marriage and family therapists are required to pay are substantially greater than the average fees for the other professions; and (3) most marriage and family therapists in the State are members of the American Association for Marriage and Family Therapy and this association investigates allegations and imposes disciplinary sanctions against its members who violate a code of ethics.

Thus, the benefits of licensing marriage and family therapists are questionable and the imposition of new licensing requirements is contrary to the State's overall efforts to streamline government.

For the foregoing reasons, I am returning Senate Bill No. 1032 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1032, entitled 'A Bill for an Act Relating Marriage and Family Therapists,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1032 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1032 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"; and

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1082

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1082, entitled 'A Bill for an Act Relating to the Environment.'

The purpose of Senate Bill No. 1082 is to require the Department of Health to evaluate the costs and fee structures of that department's water quality programs, develop a proposal to supplement revenues for those programs by fees and other means and submit recommendations to the Legislature.

While the Legislature's concern for adequate funding of state water quality programs is commendable, the bill is unnecessary. The Department of Health must already evaluate its costs and revenues and propose improvements as part of the budget review process used in preparing the executive budget that is submitted for legislative consideration. The department also did a specific costs and fees evaluation for environmental programs several years ago and will update it as needed to meet the intent of the bill. Furthermore, a legislative resolution would have been an ample expression of concern and more in keeping with past practice.

For the foregoing reasons, I am returning Senate Bill No. 1082 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1082, entitled 'A Bill for an Act Relating to the Environment,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1082 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1082 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 347, dated June 16, 1997, transmitting his statements of objection to House Bill Nos. 728, 1640, 1869 and 2234 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 728

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 728, entitled 'A Bill for an Act Relating to the Conveyance Tax.'

The purpose of House Bill No. 728 is to amend the conveyance tax law to exempt those transfers of real property in which the conveyance merely reflects a change in the form of ownership of the property without changing its beneficial ownership. These transfers include those that: (1) convey real property from an individual transferor to a corporation, limited liability company, or partnership that is wholly owned by that individual transferor; by the individual transferor and the transferor's spouse; or by the individual transferor, the transferor's spouse, and the transferor's children; and (2) convey real property from a limited liability company to an individual transferee who is the sole member of the limited liability company.

House Bill No. 728, however, contains a serious tax loophole that allows taxpayers, otherwise subject to the conveyance tax, to circumvent the tax by using a limited liability company as a vehicle to transfer real property to a third party. For example, an individual could transfer real property to a limited liability company, then sell the interest in the limited liability company to a third party. Because the sale of the interest in the limited liability company is not considered a transfer of real property, the conveyance tax would not apply. The third party, as the

new owner and sole member of the limited liability company, could then convey the real property to himself or herself. This transfer would be exempt under House Bill No. 728. Therefore, House Bill No. 728 allows a taxpayer to use a limited liability company as a vehicle to transfer real property to a third party and improperly avoid the imposition of the conveyance tax.

For the foregoing reasons, I am returning House Bill No. 728 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 728, entitled 'A Bill for an Act Relating to the Conveyance Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 728 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 728 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1640

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1640, entitled 'A Bill for an Act Relating to General Excise Tax.'

The purpose of House Bill No. 1640 is to provide relief to certain businesses economically dislocated because of downsizing and to taxpayers adversely affected by natural disaster in counties with populations less than one hundred thousand or counties with an unemployment rate of ten percent or higher.

This bill, however, will result in reduced revenue collections, will defer needed excise tax payments, will ambiguously define 'economic dislocation' and 'industrial downsizing' to potentially cover a broad array of businesses, resulting in

reduced state revenue collections, and may require additional appropriations for staff to implement.

For the foregoing reasons, I am returning House Bill No. 1640 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1640, entitled 'A Bill for an Act Relating to General Excise Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1640 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1640 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1869

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1869, entitled 'A Bill for an Act Relating to Motor Vehicle Insurance.'

The purpose of House Bill No. 1869 is to amend section 431:10C-115.5, Hawaii Revised Statutes, concerning the No-fault Administration Revolving Fund, to allow the Insurance Commissioner to hire personnel to meet the requirements of the section without regard to the civil service and compensation laws, chapters 76 and 77, Hawaii Revised Statutes.

However, a similar amendment of section 431:10C-115.5 to authorize additional personnel is also made in House Bill No. 100, entitled "A Bill for an Act Relating to Motor Vehicle Insurance," which also passed during the regular session of 1997. Since I intend to approve House Bill No. 100, there is no necessity to also approve this bill.



For the foregoing reasons, I am returning House Bill No. 1869 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1869, entitled 'A Bill for an Act Relating to Motor Vehicle Insurance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1869 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1869 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"; and

"EXECUTIVE CHAMBERS  
HONOLULU

June 16, 1997

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2234

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2234, entitled 'A Bill for an Act Relating to the University of Hawaii.'

The purposes of House Bill No. 2234 are (1) to prohibit the Governor and the Director of Finance from reducing any budget request or allotment to the University of Hawaii below amounts appropriated by the Legislature, unless the University requests a reduction, and (2) to defer the implementation of the University of Hawaii 'budget formula' set forth in section 304-7.5, Hawaii Revised Statutes, from fiscal year 1997-1998 to fiscal year 1999-2000.

This bill seriously compromises the Governor's fiduciary responsibility to control the rate of expenditures of general funds relative to general fund revenues. Under this bill adjustments cannot be made to the University's budget and allocation regardless of the financial condition of the State. If reductions must be made, the University would be totally protected from reductions while other state departments would suffer larger reductions.

For the foregoing reasons, I am returning House Bill No. 2234 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2234, entitled 'A Bill for an Act Relating to the University of Hawaii,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2234 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2234 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 16th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 348, informing the Senate that on June 17, 1997, he signed into law House Bill No. 1664 as Act 228, entitled: "RELATING TO THE WESTERN GOVERNORS UNIVERSITY."

Gov. Msg. No. 349, informing the Senate that on June 19, 1997, he signed the following bills into law:

House Bill No. 100 as Act 251, entitled: "RELATING TO MOTOR VEHICLE INSURANCE"; and

Senate Bill No. 538 as Act 252, entitled: "RELATING TO PUBLIC LIBRARIES."

Gov. Msg. No. 350, informing the Senate that on June 20, 1997, he signed into law House Bill No. 1641 as Act 253, entitled: "RELATING TO THE COLLECTION OF TAXES."

Gov. Msg. No. 351, dated June 20, 1997, transmitting his statement of objections to Senate Bill No. 1018 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 20, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1018

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill 1018, entitled 'A Bill for an Act Relating to Tax.'

The purpose of Senate Bill No. 1018 is to extend the period for claiming the energy conservation income tax credit provided for the installation of solar energy systems, wind energy systems, heat pump systems, and ice storage systems for an additional ten years, from January 1, 1999, to January 1, 2009.

For over twenty years, the State has been subsidizing the energy conservation industry by providing income tax credits for the installation of various energy saving systems. The purpose of this tax credit was to provide tax relief for the then fledgling alternative energy conservation industry.

The state tax credit was patterned after the federal tax credit which Congress repealed in 1986.

The alternative energy conservation industry is now a mature industry. Extending the tax credit another ten years amounts to a thirty year subsidy borne by Hawaii's taxpayers.

The revenue loss caused by this bill will be between \$1,000,000 to \$3,000,000 annually, a loss the State can ill afford.

The existing tax credit does not expire until December, 1998. There is ample time to consider alternative ways to promote the use of alternate energy systems.

If the Legislature is serious about promoting alternative energy uses by the public, it must enact policies which will mandate alternative energy use under appropriate conditions. My administration will work with the industry and the Legislature to develop more effective strategies to promote the installation of energy saving systems.

For the foregoing reasons, I am returning Senate Bill No. 1018 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1018, entitled 'A Bill for an Act Relating to Tax,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1018 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1018 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,

this 20th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

Gov. Msg. No. 352, dated June 19, 1997, transmitting his statements of objection to Senate Bill Nos. 817, 1385 and 1874 which he has returned to the Senate without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 817

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 817, entitled 'A Bill for an Act Relating to Education.'

Senate Bill No. 817 requires the Board of Education to establish guidelines to foster volunteer relationships between public school students and service providers.

This bill is unclear and ambiguous with regard to the definition of service providers and the volunteer relationships that would be developed between students and service providers in the volunteer service program. Moreover, since section 302A-1101, Hawaii Revised Statutes, already authorizes the Board of Education to establish policies and guidelines for educational programs, this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 817 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 817, entitled 'A Bill for an Act Relating to Education,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 817 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 817 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1385

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1385, entitled 'A Bill for an Act Relating to State War Memorials and Veterans' Cemeteries.'

The purpose of Senate Bill No. 1385 is to amend section 363-3, Hawaii Revised Statutes, to require the Office of Veterans Services to inspect state war memorials and veterans' cemeteries and report all repair and maintenance problems every three years instead of on an annual basis.

Section 14 of Article III of the Hawaii Constitution provides that '[e]ach law shall embrace but one subject, which shall be expressed in its title.' The title of Senate Bill No. 1385, however, appears to contain two subjects, 'war memorials' and 'veterans' cemeteries.' Consequently, this bill may be subject to question because of its title.

That question may be avoided and the same purpose achieved by the enactment of House Bill No. 1707, entitled 'A Bill for an Act Relating to the Office of Veterans' Services.' House Bill No. 1707 has the same purpose and was also passed by the Legislature. Since I intend to approve House Bill No. 1707, the enactment of this bill is unnecessary.

For the foregoing reasons, I am returning Senate Bill No. 1385 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1385, entitled 'A Bill for an Act Relating to State War Memorials and Veterans' Cemeteries,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1385 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1385 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii";

"EXECUTIVE CHAMBERS  
HONOLULU

June 19, 1997

STATEMENT OF OBJECTIONS TO SENATE BILL NO.  
1874

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1874, entitled 'A Bill for an Act Relating to Welfare to Work Transition Assistance.'

The purpose of this bill is to facilitate the transition of public assistance recipients from welfare to work. however, this bill duplicates efforts already being pursued by the State.

Throughout the past year, the State has been actively involved in efforts to bring the State into compliance with the federal Personal Responsibility and Work Opportunity Act of 1996, which replaced the Aid to Families with Dependent Children entitlement program with a transitional aid program called the Temporary Assistance for Needy Families (TANF) program. The federal act requires recipients who are able to work to secure employment as soon as possible, and states must meet strict work participation requirements in order to qualify for federal funds.

This bill mandates the Department of Human Services (DHS) to eliminate obstacles to work and promote new job opportunities for public assistance recipients. The Department of Labor and Industrial Relations (DLIR) and the Department of Business, Economic Development, and Tourism (DBEDT) must assist DHS in creating job opportunities for recipients. However, this bill is unnecessary. The mandates are already being aptly addressed by the DHS. For example, DHS is ready to implement by July 1, 1997, child care payment restructuring to accommodate persons attending work transition programs, and has secured work initiative programs with nonprofit agencies. The DHS has also already organized an Interagency Task Force on Welfare to Work, comprised of a multidisciplinary group from the federal and state departments and agencies as well as the Legal Aid Society of Hawaii. DLIR and DBEDT have actively participated in this task force. I have every confidence in the DHS to continue with efforts in addition to those listed to assist the transition for public assistance recipients.

For the foregoing reasons, I am returning Senate Bill No. 1874 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before

adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1874, entitled 'A Bill for an Act Relating to Welfare to Work Transition Assistance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1874 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1874 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 353**, dated June 20, 1997, transmitting his statement of objections to House Bill No. 1393 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU"

June 20, 1997

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1393

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill 1393, entitled 'A Bill for an Act Relating to Salaries in the Judiciary.'

The purpose of House Bill No. 1393 is to increase the salaries of supreme court justices and of intermediate appellate court, circuit court, and district court judges.

While I recognize that the justices and judges have not had a pay raise in the last seen years, in times of budgetary constraints, I must be circumspect with the funds available. Simply increasing salaries without concomitant adjustments to the pension entitlements does nothing but perpetuate the 'High Three' pension for which this legislature was criticized. When the Legislature finally took remedial action to address the 'High Three' problem, it did not alter the Judiciary's right to three and a half percent or its right to retire without consideration of an age limit.

Increasing salaries across the board without adjusting retirement benefits will not result in keeping our qualified judges on the bench. Indeed, it will only provide them with a greater incentive to leave.

A more balanced incentive measure is the appropriate response to encourage public service as opposed to simply raising salaries across the board.

For the foregoing reasons, I am returning House Bill No. 1393 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1393, entitled 'A Bill for an Act Relating to Salaries in the Judiciary,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1393 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1393 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 20th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 354**, dated June 19, 1997, transmitting his statement of objections to House Bill No. 1804 which he has returned to the House of Representatives without his approval and which reads as follows:

"EXECUTIVE CHAMBERS  
HONOLULU"

June 19, 1997

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1804

Honorable Members  
Nineteenth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1804, entitled 'A Bill for an Act Relating to Repairs and Maintenance.'

The purpose of House Bill No. 1804 is to assure that adequate funds are available to maintain and repair state facilities by creating a repair and maintenance special fund into which shall be transferred one percent of all state general obligation bond fund appropriations for capital improvements designated as the construction cost element.

Although the purpose of this bill clearly has merit, this bill requires that twenty-five percent of the amount transferred into the fund be used for repair and maintenance for the Judiciary. The designation of twenty-five percent of the amounts transferred into the fund to be used for the Judiciary is inappropriate, because the Judiciary represents only one and one-half percent of state facilities and capital improvement construction appropriations.

For the foregoing reasons, I am returning House Bill No. 1804 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1804, entitled 'A Bill for an Act Relating to Repairs and Maintenance,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1804 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, BENJAMIN J. CAYETANO, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1804 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,  
Honolulu, State of Hawaii,  
this 19th day of June, 1997.

/s/ Benjamin J. Cayetano  
BENJAMIN J. CAYETANO  
Governor of Hawaii"

**Gov. Msg. No. 355**, informing the Senate that on June 21, 1997, he signed the following bills into law:

House Bill No. 233 as Act 254, entitled: "RELATING TO HUNTING";

House Bill No. 1086 as Act 255, entitled: "RELATING TO AGRICULTURAL WORK OPPORTUNITIES";

House Bill No. 1370 as Act 256, entitled: "RELATING TO PUBLIC FOREST RESERVES";

House Bill No. 1451 as Act 257, entitled: "RELATING TO THE PETROLEUM INDUSTRY";

House Bill No. 1572 as Act 258, entitled: "RELATING TO AGRICULTURAL LOANS";

House Bill No. 1591 as Act 259, entitled: "RELATING TO THE HAWAII STATE CLEARINGHOUSE FOR MISSING CHILDREN";

House Bill No. 1837 as Act 260, entitled: "RELATING TO THE ENVIRONMENT";

House Bill No. 2202 as Act 261, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

Senate Bill No. 37 as Act 262, entitled: "RELATING TO ENTERPRISE ZONES";

Senate Bill No. 226 as Act 263, entitled: "RELATING TO ARCHITECTS";

Senate Bill No. 242 as Act 264, entitled: "RELATING TO LOBBYISTS";

Senate Bill No. 251 as Act 265, entitled: "RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION";

Senate Bill No. 262 as Act 266, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

Senate Bill No. 373 as Act 267, entitled: "RELATING TO THE ENVIRONMENT";

Senate Bill No. 375 as Act 268, entitled: "RELATING TO SOLID WASTE MANAGEMENT";

Senate Bill No. 382 as Act 269, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

Senate Bill No. 623 as Act 270, entitled: "RELATING TO STATE FUNDS";

Senate Bill No. 633 as Act 271, entitled: "RELATING TO BED AND BREAKFAST OPERATIONS";

Senate Bill No. 647 as Act 272, entitled: "RELATING TO TORT LIABILITY";

Senate Bill No. 656 as Act 273, entitled: "RELATING TO MENTAL HEALTH AND ALCOHOL AND DRUG ABUSE TREATMENT INSURANCE BENEFITS";

Senate Bill No. 717 as Act 274, entitled: "RELATING TO PARENT EDUCATION FOR SEPARATING PARTIES";

Senate Bill No. 718 as Act 275, entitled: "RELATING TO PRE-SENTENCE DIAGNOSIS AND REPORT";

Senate Bill No. 727 as Act 276, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

Senate Bill No. 818 as Act 277, entitled: "RELATING TO TRADEMARK COUNTERFEITING";

Senate Bill No. 823 as Act 278, entitled: "RELATING TO FIREARMS";

Senate Bill No. 835 as Act 279, entitled: "RELATING TO PHYSICIANS";

Senate Bill No. 846 as Act 280, entitled: "RELATING TO CONTROLLED SUBSTANCES";

Senate Bill No. 938 as Act 281, entitled: "RELATING TO NONRESIDENT INCOME TAX";

Senate Bill No. 952 as Act 282, entitled: "RELATING TO CONSUMER PROTECTION";

Senate Bill No. 969 as Act 283, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

Senate Bill No. 986 as Act 284, entitled: "RELATING TO NONCONSENSUAL COMMON LAW LIENS";

Senate Bill No. 989 as Act 285, entitled: "RELATING TO TORTS";

Senate Bill No. 1016 as Act 286, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 1064 as Act 287, entitled: "RELATING TO BALLOT ACCESS FOR POLITICAL PARTIES";

Senate Bill No. 1069 as Act 288, entitled: "RELATING TO CANDIDATE NOMINATION PAPERS";

Senate Bill No. 1114 as Act 289, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESPERSONS";

Senate Bill No. 1160 as Act 290, entitled: "RELATING TO ELECTRIC VEHICLES";

Senate Bill No. 1191 as Act 291, entitled: "RELATING TO INSURANCE";

Senate Bill No. 1264 as Act 292, entitled: "RELATING TO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM";

Senate Bill No. 1266 as Act 293, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

Senate Bill No. 1267 as Act 294, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

Senate Bill No. 1268 as Act 295, entitled: "RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT";

Senate Bill No. 1286 as Act 296, entitled: "RELATING TO RETAIL TOBACCO SALES TO MINORS";

Senate Bill No. 1316 as Act 297, entitled: "RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE";

Senate Bill No. 1428 as Act 298, entitled: "RELATING TO FILM PERMITTING";

Senate Bill No. 1464 as Act 299, entitled: "RELATING TO THE HOUSING FINANCE AND DEVELOPMENT CORPORATION";

Senate Bill No. 1506 as Act 300, entitled: "RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY";

Senate Bill No. 1522 as Act 301, entitled: "RELATING TO DISPENSING OPTICIANS";

Senate Bill No. 1553 as Act 302, entitled: "RELATING TO HEALTH RESOURCES";

Senate Bill No. 1554 as Act 303, entitled: "RELATING TO PUBLIC HOUSING";

Senate Bill No. 1560 as Act 304, entitled: "RELATING TO ELECTRONIC PRESCRIPTIONS";

Senate Bill No. 1571 as Act 305, entitled: "RELATING TO VITAL STATISTICS";

Senate Bill No. 1588 as Act 306, entitled: "RELATING TO MENTAL HEALTH";

Senate Bill No. 1599 as Act 307, entitled: "RELATING TO A COMMERCIAL MARINE DEALER LICENSE";

Senate Bill No. 1619 as Act 308, entitled: "RELATING TO PARKING FOR DISABLED PERSONS";

Senate Bill No. 1621 as Act 309, entitled: "RELATING TO HIGH OCCUPANCY VEHICLE LANES";

Senate Bill No. 1624 as Act 310, entitled: "RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM";

Senate Bill No. 1632 as Act 311, entitled: "RELATING TO HOUSING";

Senate Bill No. 1714 as Act 312, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING";

Senate Bill No. 1766 as Act 313, entitled: "RELATING TO PUBLIC SAFETY AND INTERNAL SECURITY"; and

Senate Bill No. 1881 as Act 314, entitled: "RELATING TO PLANNING."

**Gov. Msg. No. 356**, informing the Senate that on June 29, 1997, he signed into law Senate Bill No. 1683 as Act 315, entitled: "RELATING TO A HAWAIIAN LANGUAGE COLLEGE."

**Gov. Msg. No. 357**, informing the Senate that on June 30, 1997, he signed the following bills into law:

House Bill No. 108 as Act 316, entitled: "RELATING TO CRIME";

House Bill No. 107 as Act 317, entitled: "RELATING TO JUVENILES";

House Bill No. 106 as Act 318, entitled: "RELATING TO YOUTHFUL OFFENDERS";

Senate Bill No. 1277 as Act 319, entitled: "RELATING TO DANGEROUS DRUGS";

House Bill No. 112 as Act 320, entitled: "RELATING TO CRIME";

House Bill No. 623 as Act 321, entitled: "RELATING TO DOMESTIC VIOLENCE";

House Bill No. 1510 as Act 322, entitled: "RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS";

Senate Bill No. 293 as Act 323, entitled: "RELATING TO THE PENAL CODE";

House Bill No. 1984 as Act 324, entitled: "RELATING TO DRUG ABUSE";

House Bill No. 1539 as Act 325, entitled: "RELATING TO YOUTH CORRECTIONAL FACILITIES";

Senate Bill No. 1943 as Act 326, entitled: "RELATING TO MOTOR VEHICLES";

Senate Bill No. 257 as Act 327, entitled: "RELATING TO EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 350 as Act 328, entitled: "RELATING TO THE STATE BUDGET";

House Bill No. 2207 as Act 329, entitled: "RELATING TO THE PUBLIC LAND TRUST"; and

Senate Bill No. 1197 as Act 330, entitled: "RELATING TO DRIVERS' LICENSES."

**Gov. Msg. No. 358**, informing the Senate that on July 2, 1997, he signed the following bills into law:

Senate Bill No. 927 as Act 331, entitled: "RELATING TO TAXATION";

House Bill No. 631 as Act 332, entitled: "RELATING TO HEALTH CARE DECISIONS";

House Bill No. 167 as Act 333, entitled: "RELATING TO TRAUMATIC BRAIN INJURY";

Senate Bill No. 1794 as Act 334, entitled: "RELATING TO SANITATION PERMITS";

Senate Bill No. 135 as Act 335, entitled: "RELATING TO OPTOMETRY";

House Bill No. 1841 as Act 336, entitled: "RELATING TO HEALTH PLANNING";

Senate Bill No. 165 as Act 337, entitled: "RELATING TO DONATION OF PHARMACEUTICALS AND HEALTH CARE SUPPLIES";

House Bill No. 120 as Act 338, entitled: "RELATING TO ELDERLY CARE";

House Bill No. 147 as Act 339, entitled: "RELATING TO LONG-TERM CARE";

House Bill No. 1463 as Act 340, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";

Senate Bill No. 1879 as Act 341, entitled: "RELATING TO ADULT RESIDENTIAL CARE HOMES";

House Bill No. 1006 as Act 342, entitled: "RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS";

House Bill No. 2032 as Act 343, entitled: "RELATING TO SCHOOL-TO-WORK OPPORTUNITIES"; and

House Bill No. 133 as Act 344, entitled: "RELATING TO TECHNICAL AND VOCATIONAL TRAINING."

**Gov. Msg. No. 359**, informing the Senate that on July 3, 1997, he signed the following bills into law:

House Bill No. 2214 as Act 345, entitled: "RELATING TO COFFEE CERTIFICATION";

House Bill No. 1625 as Act 346, entitled: "RELATING TO CONSOLIDATING EMPLOYMENT AND TRAINING ADVISORY BODIES INTO A WORKFORCE DEVELOPMENT COUNCIL";

House Bill No. 1675 as Act 347, entitled: "RELATING TO HOISTING MACHINE OPERATORS";

House Bill No. 103 as Act 348, entitled: "RELATING TO BUSINESS";

House Bill No. 1287 as Act 349, entitled: "RELATING TO THE PROCUREMENT CODE";

House Bill No. 143 as Act 350, entitled: "RELATING TO HOUSING"; and

House Bill No. 141 as Act 351, entitled: "RELATING TO VOLUNTEER SERVICE."

**Gov. Msg. No. 360**, informing the Senate that on July 3, 1997, he signed the following bills into law:

House Bill No. 1686 as Act 352, entitled: "RELATING TO PROCUREMENT";

Senate Bill No. 147 as Act 353, entitled: "RELATING TO TAXATION";

Senate Bill No. 252 as Act 354, entitled: "RELATING TO GENERAL ASSISTANCE";

Senate Bill No. 1421 as Act 355, entitled: "RELATING TO PAYROLL PERIODS";

House Bill No. 113 as Act 356, entitled: "RELATING TO CONTROLLED SUBSTANCES";

House Bill No. 472 as Act 357, entitled: "RELATING TO STATE BONDS";

House Bill No. 1216 as Act 358, entitled: "RELATING TO CAPTIVE INSURANCE COMPANIES";

House Bill No. 1701 as Act 359, entitled: "RELATING TO THE REDEVELOPMENT OF BARBERS POINT NAVAL AIR STATION";

House Bill No. 1707 as Act 360, entitled: "RELATING TO THE OFFICE OF VETERANS' SERVICES";

Senate Bill No. 26 as Act 361, entitled: "RELATING TO PARENT AND GUARDIAN RESPONSIBILITY FOR MINOR";

Senate Bill No. 58 as Act 362, entitled: "RELATING TO KINDERGARTENS";

Senate Bill No. 305 as Act 363, entitled: "RELATING TO CHILD ABUSE";

Senate Bill No. 512 as Act 364, entitled: "RELATING TO PROFESSIONS AND VOCATIONS";

Senate Bill No. 653 as Act 365, entitled: "RELATING TO EMPLOYMENT PRACTICES";

Senate Bill No. 1279 as Act 366, entitled: "RELATING TO SEXUAL ASSAULT";

Senate Bill No. 1487 as Act 367, entitled: "RELATING TO MUTUAL BENEFIT SOCIETIES";

Senate Bill No. 1535 as Act 368, entitled: "RELATING TO THE INSURANCE CODE";

Senate Bill No. 1589 as Act 369, entitled: "RELATING TO CHILD DEATH REVIEW";

Senate Bill No. 1618 as Act 370, entitled: "RELATING TO THE TRANSPORTATION IMPROVEMENT SPECIAL FUND";

Senate Bill No. 1628 as Act 371, entitled: "RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION";

Senate Bill No. 1901 as Act 372, entitled: "RELATING TO TIME SHARE"; and

Senate Bill No. 1919 as Act 373, entitled: "RELATING TO THE LEGISLATURE."

**Gov. Msg. No. 361**, informing the Senate that on July 7, 1997, he signed the following bills into law:

House Bill No. 139 as Act 374, entitled: "RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM";

House Bill No. 140 as Act 375, entitled: "RELATING TO ELECTIONS";

House Bill No. 1104 as Act 376, entitled: "RELATING TO HAWAIIAN AFFAIRS";

Senate Bill No. 1581 as Act 377, entitled: "RELATING TO THE ENVIRONMENT"; and

House Bill No. 122 as Act 378, entitled: "RELATING TO EARLY INTERVENTION."

**Gov. Msg. No. 362**, informing the Senate that on July 7, 1997, he signed the following bills into law:

House Bill No. 111 as Act 379, entitled: "RELATING TO SEXUAL ASSAULT";

House Bill No. 1292 as Act 380, entitled: "RELATING TO THE ENVIRONMENT"; and

Senate Bill No. 175 as Act 381, entitled: "RELATING TO THE ENVIRONMENT."

**Gov. Msg. No. 363**, informing the Senate that on July 8, 1997, he signed into law House Bill No. 1857 as Act 382, entitled: "RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS."

**Gov. Msg. No. 364**, informing the Senate that on July 8, 1997, he permitted the following measure to become law without his signature:

House Bill No. 118 as Act 383, entitled: "RELATING TO UNMARRIED COUPLES."



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**HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE**

**Hse. Com. No. 869**, returning S.B. No. 1881, S.D. 1, which passed Third Reading in the House of Representatives on April 29, 1997.

**Hse. Com. No. 870**, returning S.C.R. No. 166, S.D. 1, which was adopted by the House of Representatives on April 29, 1997

**Hse. Com. No. 871**, informing the Senate that the House adopted the report of the Committee on Conference on H.B. No. 100, H.D. 1, S.D. 1, C.D. 1, and that said bill passed Final Reading in the House of Representatives on May 1, 1997.

**Hse. Com. No. 872**, transmitting House Resolution No. 242, entitled: "HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," which was adopted by the House of Representatives on May 1, 1997.

RULES OF THE SENATE

of the

NINETEENTH LEGISLATURE OF THE STATE OF HAWAII

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**RULES OF THE SENATE**

of the

**NINETEENTH LEGISLATURE OF THE STATE OF HAWAII****PREAMBLE**

The members of the Senate do hereby reaffirm the Senate's dedication to upholding the Constitutions of the United States and the State of Hawaii, to providing for openness and fairness in all of its proceedings, and to promoting collaboration and consultation in its committee work.

The Senate stands as a people-oriented institution that serves all of the people, whatever their background or persuasion. The Senate works for the public good and strives to give every person an equal opportunity to realize his or her highest potential. The Senate is an open public forum for organized debate and deliberative consideration of issues.

**RULES OF THE SENATE**

The following Rules shall be the Rules of the Senate of the Nineteenth Legislature of the State of Hawaii.

**PART I. ORGANIZATION, OFFICERS AND EMPLOYEES****Rule 1. Organization**

(1) When the Senate convenes in the first Regular Session of each Legislature, the member from the First Senatorial District shall act as temporary chair, call the Senate to order, appoint a temporary Clerk, and a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the report of the Committee, it shall appear that a majority of the credentials are in order, the temporary Clerk shall call the roll.

(2) The temporary Chair shall then appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court Judge or a Circuit Court judge to administer the oath of office required by the Constitution. After the oath has been duly administered, the Senate shall organize.

(3) When the Senate convenes in any succeeding Sessions of the Legislature, the President or the Vice-President in the absence of the President, shall call the Senate to order.

**Rule 2. Officers and Employees**

(1) The officers of the Senate shall consist of a President, Vice-President, Clerk, Assistant Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

**Rule 3. The President**

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling for the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, call for votes upon the same and announce the results.

- (6) To receive all communications, present them to the Senate and refer all bills and other matters to the appropriate standing committees.
- (7) To appoint all committees unless otherwise determined by the Senate.
- (8) To authenticate by signature, all acts and doings of the Senate which require authentication.
- (9) To make known rules of order when so requested and, subject to an appeal to the Senate, to decide all questions of order.
- (10) To issue warrants and when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.
- (11) To decide and announce the result of any vote taken.
- (12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.
- (13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.
- (14) To control and have direction of the rooms, desks, passages, stairways, corridors, and balconies, in and about the building set apart for the use of the Senate, and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.
- (15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills, the dates for the mandatory recess pursuant to Article III, Section 10, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.
- (16) To promulgate an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate policies.
- (17) To mediate and resolve differences between two or more standing committees on the same bill.

#### **Rule 4. The Vice-President**

In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

#### **Rule 5. President Pro Tempore**

- (1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the member of the majority party having the longest tenure in the Senate shall preside until a President pro tempore is chosen. If two or more members are equally qualified to preside, the eldest qualified member shall preside.
- (2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

#### **Rule 6. The Clerk**

It shall be the duty of the Clerk:

- (1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.
- (2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be made available for inspection to any member upon request as soon as practicable. The Journal of each day shall be read the following day, immediately after the invocation. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of \_\_\_\_." (Giving the Year).
- (3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.
- (4) To forward at once all letters, messages, communications and other matters to the proper parties.

(5) To immediately deliver to the Chair of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) To draw on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the leadership committee as may be appointed by the President.

(8) To pay all bills and accounts as shall be approved by the President or the President's designees, or ordered by the Senate, and no others.

(9) To be responsible for the acquisition and distribution of all of the property of the Senate.

(10) To note all questions of order with the decision thereon, collect the same, and append them to the Senate Journal at the close of the session.

(11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

#### **Rule 7. Assistant Clerk**

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

#### **Rule 8. Invocation**

Each day's sitting of the Senate shall open with an invocation.

#### **Rule 9. Sergeant-at-Arms**

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders or process as directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

#### **Rule 10. Assistant Sergeant-at-Arms**

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the performance of all duties and attend to such duties as may be required when so directed by the President. In the absence of the Sergeant-at-Arms, the Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

#### **Rule 11. Responsibility of Officers and Employees**

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all the President's orders and directions, subject to revision by the Senate. If required by the President, any officer or employee shall give a bond for the faithful performance of duties.

An oath of office shall be administered to each officer.

#### **Rule 12. Pay of Members, Officers and Employees**

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

## PART II. COMMITTEES

**Rule 13. Committees: Types and Composition**

(1) Standing Committees: The membership of each Standing Committee and the respective Chairs thereof shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall to the extent practicable be represented on all Standing Committees on a proportional basis or on such basis as may be prescribed by the Senate. The nomination of the minority party members to Standing Committees shall be made by the leadership of the minority party.

(2) Leadership Committees shall include majority and minority members drawn from the ranks of the Senate leadership.

(3) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, include a member or members of the minority party, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred. The Senate may establish investigative committees pursuant to Chapter 21, Hawaii Revised Statutes; such committees shall have such powers and be bound by such conditions as may be provided by law or by these Rules.

(4) Conference Committees shall consist of not less than three members each and be managed by the Chair of the Standing Committee having primary responsibility of the subject matter to be resolved, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred. The President may discharge a Conference Committee only upon concurrence with the Majority Leaders.

(5) The Committee of the Whole Senate.

**Rule 14. Committee Chairs**

(1) The first two persons named on the Committee shall be Chairs. Either Chair, or both of them, as they shall agree, shall call meetings and preside.

(2) Whenever the word "chair" is used in these rules, it means both chairs, or either one of them, as shall be appropriate in the context in which the word is used.

**Rule 15. Committees: Control and Excuse from Membership**

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if already a member of four other committees.

**Rule 16. Standing Committees**

Standing Committees shall be appointed for major subject matter areas at the opening of the session, or as soon thereafter as possible, to serve during the Nineteenth Legislature. The Standing Committees and their areas of jurisdiction shall be as follows:

(1) **Committee on Commerce, Consumer Protection, and Information Technology.** The purview of this committee includes those programs relating to business regulation, occupational licensing, consumer protection, financial institutions, insurance regulation, public utility regulation; telecommunications; and use of information storage, transmission, processing, and telecommunications technologies by public agencies and institutions.

(2) **Committee on Economic Development.** The purview of this committee includes those programs relating to economic development, tourism, agriculture, aquaculture, fisheries, and mariculture, including ocean resources, energy resources, and other new industry development; financial and technical assistance to business; recreation, sports and athletics, state parks and beaches, recreational boating, and Aloha Stadium.

(3) **Committee on Education.** The purview of this committee includes those programs relating to early education, public schools, continuing education, and the public libraries; the University of Hawaii and community college system; and culture, historic preservation, and the arts.

(4) **Committee on Government Operations and Housing.** The purview of this committee includes those programs relating to housing development, the landlord tenant code, condominium property regimes, and leaseholds; and state government operations, including procurement and government efficiency.

(5) **Committee on Health and Environment.** The purview of this committee includes programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation, and hospitals; population; and environmental quality control and protection, including litter control, recycling, wastewater treatment, endangered species, and hazardous waste.

(6) **Committee on Human Resources.** The purview of this committee includes those programs relating to public assistance, Medquest, youth services, early childhood education and care programs under the Department of Human Services, and vocational rehabilitation; programs relating to the promotion of the general well-being of Hawaii's youth and elderly population; and programs

relating to public officers and employees, labor, employment opportunities and training, labor-management relations, and collective bargaining.

(7) **Committee on Judiciary.** The purview of this committee includes those programs relating to courts; crime prevention and control, including juvenile justice matters; criminal code revision; statutory revision; campaign spending and elections; constitutional matters; programs of the Attorney General, Public Defender and Judiciary; individual rights and civil liberties; and programs relating to public safety and corrections.

(8) **Committee on Transportation and Intergovernmental Affairs.** The purview of this committee includes those programs relating to air, water, and surface transportation; civil defense; military and veteran's affairs; county, federal, and foreign relations; and matters of concern to the counties.

(9) **Committee on Water, Land, and Hawaiian Affairs.** The purview of this committee includes those programs relating to state planning, urban renewal, community development, land and water use, coastal zone management, land reclamation; and Hawaiian affairs, including the Office of Hawaiian Affairs, sovereignty, and Hawaiian homestead lands.

(10) **Committee on Ways and Means.** The purview of this committee includes those programs relating to overall state financing policies, including taxation and other revenues, cash and debt management, and statewide implementation of planning, programming, budgeting, and evaluation; government structure and finance.

#### **Rule 17. Standing Committees: General Responsibility**

(1) **General Responsibility.** On the bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. For those bills which require appropriations, the committee shall make expenditure recommendations consistent with the expenditure allocations established for the bills by the Committee on Ways and Means, which shall make the final recommendation to the Senate.

(2) **Subsequent referral committees.** On bills that have been referred by the President to more than one committee, unless otherwise ordered by the Senate, the subsequent referral committee shall make no substantive change, except changes which affect the subject matter over which the subsequent referral committee has primary jurisdiction, without prior written approval of the preceding referral committee chair having primary jurisdiction over the subject matter affected by the change.

#### **Rule 18. Committee on Ways and Means: Special Responsibility**

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas.

To the extent practicable, the Committee on Ways and Means shall make available to members of the Senate the contents of the General Appropriations Bill or the Supplemental Appropriations Bill during the 48-hour period prior to the passage of such bills on third and final reading.

Concerning all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available.

In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the recommendation of the chair of the Standing Committee responsible for the program area to which the appropriation relates.

#### **Rule 19. Leadership Committees**

Leadership Committees shall be appointed by the President at the opening of the session, or as soon thereafter as possible. A Leadership Committee on Legislative Management shall be appointed by the President to perform the duties and responsibilities of the Committee as may be provided by law. Because Leadership Committees have jurisdiction over issues of organizational and institutional interest to the Senate, their membership shall include members drawn from the ranks of the Senate Leadership, thus assuring high-level consideration of these issues.

#### **Rule 20. Meetings of Committees**

Meetings, including decision-making sessions, of leadership committees appointed by the President, and Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill.

Notice of meetings and decision-making sessions shall be publicly posted by first referral committees at least 72 hours before their meetings and by subsequent referral committees at least 48 hours before their meetings, provided that these notice requirements may be waived with the approval of the President upon good cause shown.



No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees which may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of a Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

#### **Rule 21. Decision-Making by Committee**

(1) The chair of a standing committee may commence a decision-making meeting and open discussion on matters referred to the committee without a quorum; provided that the decision-making by the committee on matters that are referred to it shall be conducted with a quorum of the committee present. A quorum shall be a majority of the membership of the committee.

(2) A favorable vote of a majority of the members present at a decision-making meeting duly constituted with a quorum is required to report a matter out of committee. A member voting "with reservations" shall be counted as a favorable vote.

(3) The presence of a quorum and the final vote of each member who is present at the decision-making meeting of a standing committee shall be recorded by the chair or by a member of the committee designated by the chair. This record shall be attached to and shall be a part of the report of the standing committee.

#### **Rule 22. Public Hearings on Bills**

(1) Subject to this rule, the selection and scheduling of a bill for public hearing shall be at the discretion of the chair of the committee having jurisdiction over the bill.

(2) The chair's determination that a bill will have a public hearing shall be final notwithstanding the opposition of a majority of the members of the committee.

(3) At the written request of a majority of the members of the committee, the chair shall schedule a bill for public hearing.

#### **Rule 23. Committee Reports**

(1) The leadership committees as may be appointed by the President and Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

#### **Rule 24. Committees: Factfinding and Content of Reports**

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate in accordance with the provisions of Chapter 21 of the Hawaii Revised Statutes. The President may exercise such powers authorized under Chapter 21, relating to the issuance of subpoenas, and the President, committee chair and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills referred to the committee.

(4) The committee shall report whenever a majority of the members present at the decision-making meeting duly constituted with a quorum is in favor of reporting the bill or resolution out of the committee. The report, after being made available, for review by the members of the committee, and after subsequent revisions thereto, if any, shall be the final report of the committee. The final report of the committee shall be attested to by the signature of the chair on behalf of the members of the committee. The action of the committee on the bill or resolution or any amendments thereto, if any, and the final vote of each member of the committee recorded by

the chair or the chair's designee at a decision-making meeting shall not be changed in the review of the report, unless the change is made at an open decision-making meeting conducted with a quorum of the committee present. The minority of the members present at any decision-making meeting duly constituted with a quorum may report.

#### **Rule 25. Committee of the Whole**

(1) The Senate from time to time may resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chair), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last. All amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

### **PART III. SESSIONS; ATTENDANCE; NOMINATIONS**

#### **Rule 26. Meetings**

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at eleven-thirty o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

#### **Rule 27. Attendance**

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

#### **Rule 28. Extension of Session**

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request an extension of \_\_\_\_\_ days of the \_\_\_\_\_ session of \_\_\_\_\_ of the \_\_\_\_\_ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

#### **Rule 29. Recessed Session**

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at some period between the twentieth and fortieth days of the regular session.

#### **Rule 30. Special Sessions**

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the \_\_\_\_\_ Legislature of the State of Hawaii be convened at \_\_\_\_\_."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate's responsibilities under Article VI, Section 3, of the Constitution. The petition shall read:

"To the President of the Senate

Your petitioners, members of the Senate of the \_\_\_\_\_ Legislature of the State of Hawaii, respectfully request that a special session of the Senate of the State of Hawaii be convened at \_\_\_\_\_."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

#### **Rule 31. Adjournments**

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

#### **Rule 32. Motion to Adjourn**

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

#### **Rule 33. Quorum**

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and return them to the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

#### **Rule 34. Executive Session**

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

#### **Rule 35. Clearing of the Senate**

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the

consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

### **Rule 36. Nominations; Appointments**

(1) Nominations made by the Governor and removal of the chief legal officer of the State which require the advice and consent of the Senate, and appointments which require the confirmation or consent of the Senate shall be referred to the standing committee having jurisdiction within five legislative days of receipt of the nomination or appointment. The standing committee to which a nomination, removal of the chief legal officer or appointment is referred, shall report to the Senate with a recommendation to advise and consent, confirm, or reject on or before the fifty-ninth day of the session.

(2) Except for the appointment of a justice or judge, a nomination or appointment made by the Governor which is received by the Senate after the fifty-first day of the session of the Legislature shall be returned to the Governor without action, unless a confirmation or consent is required to further a public purpose which cannot be satisfied by an interim appointment. Notice of this rule shall be given to the Governor not later than the twentieth day of the session of the Legislature.

(3) The final question on nominations made by the Governor shall be: "Will the Senate advise and consent to this nomination?"

(4) The final question on the removal of the chief legal officer of the State shall be: "Will the Senate advise and consent to the removal of the chief legal officer of the State?"

(5) The final question on appointments made by the Governor which require the confirmation or consent of the Senate shall be: "Will the Senate confirm (or consent) to this appointment?"

(6) The final question on nominations, removal of the chief legal officer or on appointments shall not be put sooner than twenty-four hours from the time when the nomination or appointment is received, nor on the day in which it may be reported by a committee, unless by unanimous consent.

(7) Public hearings shall be held for all nominees, for the removal of the chief legal officer of the State, and for all appointees prior to confirmation or consent by the Senate.

(8) The fact of nomination or appointment, rejection, confirmation, or consent need not be kept confidential, but when the Senate or the Standing Committee having jurisdiction shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept confidential.

(9) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

### **Rule 37. Meeting at Place Other than Capitol**

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

## **PART IV. ORDER OF BUSINESS**

### **Rule 38. Order of Business: General**

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

- (1) Messages from the Governor.
- (2) Reports and communications from the state officers.
- (3) Communications, bills, resolutions and other matters from the House of Representatives.
- (4) Concurrent and senate resolutions and introduction of bills.
- (5) Reports of Conference and Joint Committees.
- (6) Reports of the Leadership Committee on Legislative Management.
- (7) Reports of Standing Committees.
- (8) Reports of other Leadership Committees.
- (9) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.
- (10) The Order of the Day.

(11) Petitions, memorials and miscellaneous communications.

(12) Any miscellaneous business on the President's table.

**Rule 39. Order of Business: Special**

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

**Rule 40. Order of Business: Committee Reports and Gubernatorial Messages**

Reports from Conference or Joint Committees, and from the Leadership Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

**Rule 41. Order of Business: Order of the Day**

After the first seven orders of business set forth in Rule 38, it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

**Rule 42. Order of Business: Unfinished Business**

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

**Rule 43. Order of Business: Questions on Priority**

All questions relating to the priority of business to be acted upon shall be decided without debate.

**PART V. BILLS; RESOLUTIONS**

**Rule 44. Bills: Introduction**

Any bill may be introduced on the report of the committee or by any member, except appropriation bills subject to the next paragraph and except short form bills which may only be introduced by the majority party leader or the minority party leader after appropriate consultation with committee chairs and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for funding of collective bargaining agreements may be introduced only by the President. Each member may introduce only one bill appropriating money for capital improvements projects in the member's district. The majority party leader and the minority party leader shall develop a policy governing introduction by individual members of bills intended to appropriate money or to authorize the issuance of state bonds.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule, nor an amending bill where the intent and effect of the amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

**Rule 45. Bills: Referral to Committee**

(1) Upon introduction all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, and shall pass first reading.

(2) Each such bill shall be referred by the President to one or more appropriate Leadership or Standing Committees for consideration.

(3) Any referral may be reconsidered by the President upon written request of any chair who is aggrieved by the referral made within forty-eight hours of the referral. The President shall decide the request for reconsideration within a reasonable time. The President's decision on a request for reconsideration may be appealed by any chair aggrieved by that decision to the Leadership Committee. No request for reconsideration or appeal shall be considered if the timing of the request would have the effect of killing a bill or resolution.

(4) Each Leadership and Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

#### **Rule 46. Bills: Required Readings**

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

#### **Rule 47. Bills: First Reading**

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

#### **Rule 48. Bills: Second Reading**

A bill upon its second reading may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Leadership Committee, Standing Committee, or Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chair of such committee. When the bill is reported from committee it shall take its place in the order of business for future consideration.

#### **Rule 49. Bills: Third Reading**

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A bill on its third or final reading may be read by its title only, and the President then shall ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

#### **Rule 50. Bills: Property of Senate**

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, subject however to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

#### **Rule 51. Bills: Recall from Committee**

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

#### **Rule 52. Matters Tabled**

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

#### **Rule 53. Bills: Amendments**

(1) All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

(2) No floor amendment to a bill shall be voted upon unless a copy of the amendment, together with a copy of the complete bill in a form that incorporates the floor amendment, shall have been presented to the Clerk no later than 9:00 o'clock a.m. on the day of the session at which the amendment is to be offered. The Clerk shall prepare and distribute copies of the floor amendment to each member of the Senate present.

(3) A floor amendment shall be deemed pending only after its proponent has been recognized by the President and its adoption has been properly moved and seconded.

(4) A floor amendment that relates to a different subject, is intended to accomplish a different purpose, incorporates any other bill pending before the Senate, or would alter the nature of the bill as reported, is not germane and shall not be considered by the Senate.

(5) An amendment to a floor amendment that is not germane to both the floor amendment and the bill as reported shall not be considered by the Senate.

#### **Rule 54. Bills: Certification**

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the bottom of the last page of the bill.

#### **Rule 55. Bills: Received from House of Representatives**

Whenever a bill which has finally passed the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

#### **Rule 56. Bills: Transmittal to House of Representatives**

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

#### **Rule 57. Bills: Correction of Errors**

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the house last considering the bill for proper correction.

#### **Rule 58. Bills: Order of Consideration**

(1) The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the Senate, the President shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the Second Reading File. The Senate shall consider them in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

#### **Rule 59. Bills: Special Order of Consideration**

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

### **PART VI. RESOLUTIONS; MOTIONS**

#### **Rule 60. Resolutions and Motions: Form**

All resolutions shall be typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory, commemorative or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so ordered.

**Rule 61. Motions: Second Required**

No motion shall be received and considered by the Senate until the motion is seconded.

**Rule 62. Motions: Disposition**

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

**Rule 63. Motions Applicable to Pending Matters**

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

**Rule 64. Matters Postponed Indefinitely**

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

**Rule 65. Motion for Previous Question**

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a three-fifths vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 63, shall be put. The author or introducer may delegate to another such right to close.

**Rule 66. Motion for Reconsideration**

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

**PART VII. PETITIONS AND COMMUNICATIONS****Rule 67. Petitions, Memorials, and Miscellaneous Communications**

(1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 60, shall be in writing, signed by the petitioners.



(2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.

(5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

## PART VIII. ORDER; DEBATE; VOTING

### Rule 68. Questions of Order

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

(2) Any question of order may be submitted to the Senate for its decision.

### Rule 69. Debate: General Limitation

No member shall speak more than twice, unless such member be the movant of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

### Rule 70. Voting: Methods

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result again shall be announced.

(4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk. On motion, the Senate may vote upon any question by ballot.

(5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No," if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

### Rule 71. Voting: Rights of Members

(1) No member, on any account, shall refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

**PART IX. DECORUM; DISCLOSURES;  
PEER REVIEW; PUNISHMENT****Rule 72. Misconduct; Procedure; Peer Review**

No member of the Senate shall be subject to a charge for misconduct, disorderly behavior, or neglect of duty unless the person making the charge shall have first given notice of the charge to the President and to the member being charged.

Upon receipt of the charge, the President shall attempt to resolve the matter in an administrative proceeding between the person making the charge or through whom the charge is being made and the member being charged. If the matter cannot be resolved administratively, the President may appoint a Special Committee to be chaired by the Vice-President or such other member as the President may designate to investigate, hear and report upon the conduct of the member charged for misconduct, disorderly behavior or neglect of duty. Any member so charged shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense before the Special Committee. Following its investigation and hearing, the Special Committee shall file its report with the President setting forth its findings and recommendations.

If the committee recommends dismissal of the charge or charges, the President may dismiss the charges without further hearing, or the President may present the report of the committee to the Senate for its consideration. The Senate, by a majority vote, may dismiss the charge or charges against the member without a hearing.

If there is no dismissal of the charge or charges, or if the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The member who is charged, shall be informed in writing of the presentation of the charge or charges of the committee report to the Senate and be given an opportunity to be heard in the member's own defense. The Senate, by a majority vote, may dismiss the charge or charges without a hearing, or with notice and an opportunity to be heard in the member's own defense, censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

At any stage of the charge against a member, the member shall have a right to be represented by a person or persons of the member's own choosing.

**Rule 73. Decorum: Transgression of Rules**

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, the member immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

**Rule 74. Decorum: Address**

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the \_\_\_\_\_ District"; "The Chair of the Committee on \_\_\_\_\_"; "The Majority Leader,") and not by name and shall avoid personalities.

**Rule 75. Decorum: Person Called to Order While Speaking**

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

**Rule 76. Decorum: Presence in Senate**

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

**Rule 77. Decorum: Conduct in Session**

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

**Rule 78. Decorum: Disorderly Conduct in Session**

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Article III, Section 18 of the Constitution shall govern.

**Rule 79. Decorum: Recording of Debate Called to Order**

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

**Rule 80. Decorum: Smoking**

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate.

**Rule 81. Decorum: Solicitation Prohibited**

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

**Rule 82. Disclosures**

Each member shall file with the Ethics Commission of the State of Hawaii, a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

**Rule 83. Violating Confidence**

If any matter covered in Rule 35 or 36 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Article III, Section 18 of the Constitution and in the manner as therein prescribed.

**PART X. QUESTIONS TO STATE OFFICERS****Rule 84. Questions to State Officers**

Any member of the Senate may ask any question of any state officer relating to the officer's respective department by reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

**PART XI. AMENDMENT, SUSPENSION  
AND INTERPRETATION OF RULES****Rule 85. Amendments; Suspension; Violations**

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose upon a majority vote of the members of the Senate.

(3) Any violation of these Rules shall be referred to the President for appropriate action.

**Rule 86. Parliamentary Procedure**

Mason's Manual of Legislative Procedures, 1989 edition, where not inconsistent with the Rules and practices of the Senate, shall govern.