

FIFTIETH DAY

Thursday, April 13, 2000

The Senate of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Rick Lazor, Nuuanu Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 292 and 293) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 292, informing the Senate that on April 11, 2000, he signed the following bills into law:

House Bill No. 2123 as Act 16, entitled: "RELATING TO WAGES AND TIPS OF EMPLOYEES"; and

Senate Bill No. 2024 as Act 17, entitled: "RELATING TO MEDICAL RESEARCH ON CANCER STUDIES,"

was placed on file.

Gov. Msg. No. 293, advising the Senate of the withdrawal of the nomination of CLINTON CHO, D.D.S., to the Board of Dental Examiners under Gov. Msg. No. 275, dated April 7, 2000, was placed on file.

In compliance with Gov. Msg. No. 293, the nomination listed under Gov. Msg. No. 275 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 456 to 616) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 456, returning S.B. No. 2742, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 457, returning S.B. No. 2477, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 458, returning S.B. No. 2426, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 459, returning S.B. No. 2289, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 460, returning S.B. No. 2005, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 461, returning S.B. No. 914, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

By unanimous consent, S.B. No. 914, entitled: "A BILL FOR AN ACT RELATING TO VOTE COUNT," was placed on the calendar for Final Reading on Friday, April 14, 2000.

Hse. Com. No. 462, returning S.B. No. 887, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

By unanimous consent, S.B. No. 887, entitled: "A BILL FOR AN ACT RELATING TO JUDGES FOR THE CIRCUIT COURT," was placed on the calendar for Final Reading on Friday, April 14, 2000.

Hse. Com. No. 463, returning S.B. No. 2001, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 464, returning S.B. No. 2088, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 465, returning S.B. No. 2205, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 466, returning S.B. No. 2438, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 467, returning S.B. No. 2542, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 468, returning S.B. No. 2470, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 469, returning S.B. No. 2563, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 470, returning S.B. No. 2830, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 471, returning S.B. No. 2858, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 472, returning S.B. No. 2941, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 473, returning S.B. No. 2942, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 474, returning S.B. No. 2947, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 475, returning S.B. No. 3117, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 476, returning S.B. No. 3192, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, was placed on file.

Hse. Com. No. 477, returning S.B. No. 185, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 185, S.D. 2, and requested a conference on the subject matter thereof.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3003, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 613, returning S.B. No. 3043, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3043, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 614, returning S.B. No. 3125, S.D. 2, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3125, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 615, returning S.B. No. 3133, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3133, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 616, returning S.B. No. 3190, S.D. 1, which passed Third Reading in the House of Representatives on April 11, 2000, in an amended form, was placed on file.

On motion by Senator Chun, seconded by Senator Slom and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3190, S.D. 1, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORTS

Senator Nakata, for the Committee on Labor and Environment, presented a report (Stand. Com. Rep. No. 3398) recommending that the Senate advise and consent to the nominations of HARVARD C.S. KIM, JODEE MALIA CRANE, NORMAN JIMENO and NOBLEZA E. MAGSANOC to the Hawaii School-to-Work Executive Council, in accordance with Gov. Msg. No. 228.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 3398 and Gov. Msg. No. 228 was deferred until Friday, April 14, 2000.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3399) recommending that S.C.R. No. 92, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3400) recommending that S.R. No. 45, S.D. 1, be adopted.

On motion by Senator Chun, 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

THAT THE PRESIDENT AND CONGRESS RECOGNIZE AN OFFICIAL POLITICAL RELATIONSHIP BETWEEN THE UNITED STATES GOVERNMENT AND THE NATIVE HAWAIIAN PEOPLE," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3401) recommending that S.C.R. No. 93 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO APPOINT THE TRUSTEES TO THE OFFICE OF HAWAIIAN AFFAIRS TO SERVE OUT THEIR TERMS OF OFFICE IF THE RICE V. CAYETANO DECISION REQUIRES THEIR REMOVAL AS ELECTED OFFICIALS," was adopted.

Senators Chumbley and Matsunaga, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3402) recommending that S.C.R. No. 104 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION ASKING THE CONGRESS OF THE UNITED STATES TO ADDRESS THE ISSUE OF AVAILABILITY OF OBTAINING A FALSE IDENTIFICATION VIA THE INTERNET," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3403) recommending that S.C.R. No. 137, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 137, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INVESTIGATE THE MANAGEMENT OF ALL STATE GOVERNMENT HOUSING PROJECTS," was adopted.

Senator Tam, for the Committee on Government Operations and Housing, presented a report (Stand. Com. Rep. No. 3404) recommending that S.R. No. 91, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 91, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS AND HOUSING TO REVIEW THE PROCUREMENT PROCESS FOR ARCHITECTURAL AND ENGINEERING SERVICES," was referred to the Committee on Ways and Means.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3405) recommending that S.C.R. No. 76 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was adopted.

Senator Kawamoto, for the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3406) recommending that S.R. No. 30 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No.

30, entitled: "SENATE RESOLUTION SUPPORTING THE EFFORTS OF THE WORLD HEALTH ORGANIZATION AND WARIS DIRIE TO END THE HARMFUL TRADITION OF FEMALE GENITAL MUTILATION," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3407) recommending that S.C.R. No. 14, S.D. 1, be adopted.

On motion by Senator Chun, 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 URGING THAT PU'U O KAPOLEI BE PLACED ON THE STATE AND NATIONAL HISTORIC REGISTERS," was adopted.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3408) recommending that S.C.R. No. 157 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.C.R. No. 157, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," was adopted.

Senator D. Ige, jointly with Senator Kawamoto, for the Committee on Education and Technology and the Committee on Transportation and Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 3409) recommending that S.R. No. 78 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the joint report of the Committees was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH A POSITION OF MILITARY LIAISON OFFICER FOR THE BOARD OF EDUCATION," was adopted.

Senator D. Ige, for the Committee on Education and Technology, presented a report (Stand. Com. Rep. No. 3410) recommending that S.C.R. No. 166, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND YOUTH ORGANIZATIONS TO ACCESS THE WEBSITE OF THE HAWAII CRIMINAL JUSTICE DATA CENTER TO OBTAIN SEX OFFENDER INFORMATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3411) recommending that S.C.R. No. 18, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 18, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING MILITARY AND FEDERAL AGENCIES TO HONOR THE DEFINITION OF STATE RESIDENT FOR CONTRACTS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3412) recommending that S.R. No. 52 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 52, entitled: "SENATE RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON

CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3413) recommending that S.C.R. No. 57 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND ASSESS THE DEPARTMENT OF EDUCATION'S DEVELOPMENT OF EDUCATIONAL STANDARDS FOR PUBLIC SCHOOLS STATEWIDE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3414) recommending that S.C.R. No. 59 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OMBUDSMAN TO INVESTIGATE AND OBTAIN INFORMATION REGARDING GEOGRAPHIC EXCEPTIONS GRANTED BY THE DEPARTMENT OF EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3415) recommending that S.R. No. 68 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 68, entitled: "SENATE RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3416) recommending that S.C.R. No. 74, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL EXECUTIVE DEPARTMENTS AND AGENCIES TO SUBMIT REPORTS TO THE LEGISLATURE ON-LINE AND REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY OTHER MEANS OF REDUCING PAPER USAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3417) recommending that S.C.R. No. 77 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING STATE AGENCIES TO WORK COOPERATIVELY TO ALLOW PUBLIC ACCESS TO HAIKU STAIRS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3418) recommending that S.C.R. No. 95 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING THE FEDERAL GOVERNMENT TO SHARE IN THE COST OF CONDUCTING A COMPREHENSIVE

INVENTORY OF CEDED LANDS IN THE STATE OF HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3419) recommending that S.C.R. No. 103 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION URGING SUPPORT FOR THE DOCUMENTARY FILM 'AN UNTOLD TRIUMPH' AND FOR THE STATE FOUNDATION ON CULTURE AND THE ARTS TO ASSIST COMPLETION OF THE FILM PROJECT BY PROVIDING FUNDS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3420) recommending that S.C.R. No. 113 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE EXISTING REPRESENTATION FRAMEWORK OF THE OFFICE OF HAWAIIAN AFFAIRS AND THE EFFECTS OF THE RICE V. CAYETANO DECISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3421) recommending that S.C.R. No. 141 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 141, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE UNIVERSITY OF HAWAII'S HAWAII UNDERSEA RESEARCH LABORATORY TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE UNITED STATES NAVY TO OPERATE AN ADVANCED TETHERED VEHICLE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3422) recommending that S.C.R. No. 142, S.D. 1, be adopted.

On motion by Senator Chun, 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 THAT THE DEPARTMENT OF EDUCATION CONSIDER ESTABLISHING A WORK EXPERIENCE, COMMUNITY SERVICE, OR SERVICE LEARNING COMPONENT AS A REQUIREMENT FOR GRADUATION FROM HIGH SCHOOL," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3423) recommending that S.C.R. No. 176, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 176, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR TO DEVELOP A PROPOSAL FOR A CHIEF INFORMATION OFFICER FOR THE STATE OF HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3424) recommending that S.C.R. No. 185 be adopted.

On motion by Senator Chun, 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 UNIVERSITY OF HAWAII TO CONDUCT AN ANALYSIS OF CURRENT AND

COMPARATIVE PATTERNS OF PUBLIC SCHOOL FINANCING FOR K-12 EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3425) recommending that S.C.R. No. 47 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO REVIEW AND IDENTIFY FISCALLY-RELATED POWERS CONFERRED UPON OR ASSUMED BY THE EXECUTIVE BRANCH SINCE 1987 THAT MAY BE RECLAIMED BY THE LEGISLATURE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3426) recommending that S.C.R. No. 56 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO DEVELOP A POLICY ON LEGISLATIVE BILL LIMITS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3427) recommending that S.C.R. No. 16 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3428) recommending that S.C.R. No. 29, S.D. 1, be adopted.

On motion by Senator Chun, 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 URGING THE COUNTIES TO INCORPORATE INTO THE COUNTY BUILDING CODES PROVISIONS FOR DISABILITY ACCESSIBILITY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3429) recommending that S.C.R. No. 38, S.D. 1, be adopted.

On motion by Senator Chun, 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 CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3430) recommending that S.R. No. 16, S.D. 1, be adopted.

On motion by Senator Chun, 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 CONTINUED DISCUSSION FOR A COMPREHENSIVE REVIEW OF CURRENT CHILD PROTECTION LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3431) recommending that S.C.R. No. 73, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3432) recommending that S.R. No. 28, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 28, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION TO EXTEND MEDICARE COVERAGE TO PRESCRIPTION DRUGS FOR THE ELDERLY AND DISABLED," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3433) recommending that S.C.R. No. 85, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 85, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3434) recommending that S.R. No. 38, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 38, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO TRAIN AND CONSULT WITH OPERATORS AND STAFF OF ADULT RESIDENTIAL CARE HOMES, AT THE TIME OF LICENSING AND PERIODICALLY THEREAFTER, REGARDING THEIR DUTIES AND RESPONSIBILITIES FOR THEIR RESIDENTS, AND REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULES ON ADULT RESIDENTIAL CARE HOMES TO ADDRESS CONCERNS BY THE OPERATORS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3435) recommending that S.C.R. No. 88, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPROVE STATEWIDE DIABETES AWARENESS AND EDUCATION AND TO CONVENE A TASK FORCE TO ADDRESS EARLY DETECTION AND SCREENING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3436) recommending that S.C.R. No. 89, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 2, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3437) recommending that S.C.R. No. 105, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONVENE A TASK FORCE ON ALTERNATIVE MEDICINE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3438) recommending that S.C.R. No. 129, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 129, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF UNPLANNED RELEASES OF EMISSIONS AND SPILLS BY FACILITIES AT CAMPBELL INDUSTRIAL PARK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3439) recommending that S.C.R. No. 133, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 133, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE TO STUDY THE IMPLICATIONS OF INCREASED ACCESS TO STERILE SYRINGES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3440) recommending that S.C.R. No. 135, S.D. 1, be adopted.

On motion by Senator Chun, 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 HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY GROUP TO EXAMINE WAYS TO ADVOCATE THE CAPTURE AND MAXIMIZATION OF FEDERAL FUNDS TO SUPPORT HAWAII'S HEALTH AND HUMAN SERVICES PROGRAMS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3441) recommending that S.C.R. No. 143 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 143, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO IDENTIFY POTENTIAL SOURCES OF PERMANENT DEDICATED FUNDING AND FUNDING NEEDS OF THE NATURAL AREA RESERVES SYSTEM," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3442) recommending that S.C.R. No. 196, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH, TO REPORT ON THE TRANSITION OF THE HAWAII STATE HOSPITAL TO A SECURED PSYCHOSOCIAL REHABILITATION FACILITY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3443) recommending that S.C.R. No. 204 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 204, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT FOLLOW-UP SOIL TESTS AT VILLAGE PARK AND WEST LOCH FAIRWAYS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3444) recommending that S.C.R. No. 58, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A SCHOOL CHOICE PROGRAM FOR HAWAII PUBLIC SCHOOLS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3445) recommending that S.C.R. No. 102, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO PROVIDE A BRIEFING ON THE FUTURE WORKLOAD PLANS FOR PEARL HARBOR NAVAL SHIPYARD," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3446) recommending that S.C.R. No. 207, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 207, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL AND PLAINTIFFS TO AMICABLY AND INFORMALLY RESOLVE, THROUGH MEDIATION, NEGOTIATION, AND SETTLEMENT, KALIMA V. STATE OF HAWAII, CIVIL NO. 99-4771-12 VSM, PENDING BEFORE THE FIRST CIRCUIT COURT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3447) recommending that S.C.R. No. 125 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3448) recommending that S.R. No. 61 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO EXPAND THE CAPACITY OF THE CENTRAL H-1 FREEWAY CORRIDOR," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3449) recommending that S.C.R. No. 206, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 206, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT ASSESSING THE IMPACT OF THE INCREASED WORKLOADS OF SCHOOL PRINCIPALS AND OTHER ADMINISTRATORS ON THEIR ABILITY TO BE EFFECTIVE INSTRUCTIONAL LEADERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3450) recommending that S.C.R. No. 30, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 30, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII NURSES' ASSOCIATION AND THE HEALTHCARE ASSOCIATION OF HAWAII TO BEGIN DISCUSSIONS TO IDENTIFY PROBLEMS AND PROVIDE SOLUTIONS FOR ACUTE-CARE ISSUES RELATING TO PATIENT SAFETY, NURSING CARE, AND THE POTENTIAL NURSING SHORTAGE," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3451) recommending that S.C.R. No. 134, S.D. 1, be adopted.

On motion by Senator Chun, 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 STATE AUDITOR TO CONDUCT A PROGRAM AND FINANCIAL AUDIT OF THE DEPARTMENT OF HEALTH'S ADULT MENTAL HEALTH DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3452) recommending that S.C.R. No. 208, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3453) recommending that S.R. No. 98, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A PUBLIC-PRIVATE INTERAGENCY WORKING GROUP TO HELP LOW-INCOME FAMILIES BECOME SELF-SUFFICIENT," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3454) recommending that S.C.R. No. 210, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 210, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

HEALTH TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATURE'S CONSULTANT ON THE PROVISION OF MENTAL HEALTH SERVICES AT THE HAWAII STATE HOSPITAL," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3455) recommending that S.C.R. No. 6, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF A DOMESTIC VIOLENCE COURT OR DIVISION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3456) recommending that S.C.R. No. 26, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO STUDY THE FEASIBILITY OF ESTABLISHING DRUG COURTS ON THE ISLANDS OF HAWAII AND KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3457) recommending that S.C.R. No. 32 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY OF MANDATORY HEALTH INSURANCE COVERAGE FOR DIABETES SELF-MANAGEMENT EDUCATION AND TRAINING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3458) recommending that S.C.R. No. 60, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 60, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3459) recommending that S.R. No. 24, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 24, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING, ASSESSING, AND COLLECTING USER FEES TO OFFSET THE COST OF MAINTAINING KOKEE STATE PARK, ALAKAI SWAMP, AND WAIMEA CANYON STATE PARK ON THE ISLAND OF KAUAI," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3460) recommending that S.C.R. No. 68 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3461) recommending that S.C.R. No. 82, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3462) recommending that S.R. No. 34, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 34, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RESUME FRY/SEED PRODUCTION AT THE ANUENUE FISHERIES RESEARCH CENTER," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3463) recommending that S.R. No. 26 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 26, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII INSTITUTE OF PUBLIC AFFAIRS TO CONDUCT A PUBLIC POLICY REPORT ON HAWAII AND THE NEW ECONOMY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3464) recommending that S.C.R. No. 97 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE HAWAII PSYCHIATRIC MEDICAL ASSOCIATION'S INTEREST IN HAVING A FUTURE ANNUAL MEETING OF THE AMERICAN PSYCHIATRIC ASSOCIATION IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3465) recommending that S.C.R. No. 101, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 101, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE EFFECTS OF BIG BOX RETAILERS ON LOCAL SMALL AND MEDIUM RETAIL BUSINESSES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3466) recommending that S.C.R. No. 114 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONTINUE THE DOMESTIC VIOLENCE WORKING GROUP ESTABLISHED IN 1999 BY THE HAWAII STATE LEGISLATURE AND EXPAND THE MEMBERSHIP OF THE GROUP," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3467) recommending that S.C.R. No. 115, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S CAMPAIGN FINANCE LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3468) recommending that S.C.R. No. 116, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 116, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO PROMOTE EXCELLENCE IN THE JUDICIARY THROUGH RECOGNITION OF EXCELLENCE, REVIEW OF JUDICIAL PERFORMANCE, AND PUBLIC EDUCATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3469) recommending that S.C.R. No. 117, S.D. 1, be adopted.

On motion by Senator Chun, 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 A STUDY OF SOCIAL WORK LICENSING LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3470) recommending that S.R. No. 58, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 58, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SOCIAL WORK LICENSING LAWS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3471) recommending that S.C.R. No. 122, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY CONCERNING CRIMINAL HISTORY RECORD CHECKS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3472) recommending that S.C.R. No. 130 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3473) recommending that S.R. No. 63 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 63, entitled: "SENATE RESOLUTION REQUESTING THE

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO EVALUATE EXISTING CONSTRUCTION LAWS AND PRACTICES RELATING TO NEW RESIDENTIAL OWNERS WHO REQUIRE REMEDIAL WORK," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3474) recommending that S.C.R. No. 131 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3475) recommending that S.R. No. 64 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 64, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EVALUATE THE AGRICULTURE LOAN SYSTEM IN HAWAII," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3476) recommending that S.C.R. No. 149, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 149, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3477) recommending that S.R. No. 73, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 73, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO OPEN A GENERIC DOCKET ON THE ISSUES OF OVERHEAD AND UNDERGROUND PLACEMENT OF UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3478) recommending that S.C.R. No. 155 be adopted.

On motion by Senator Chun, 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 LAND AND NATURAL RESOURCES TO IMPLEMENT THE RECOMMENDATIONS REGARDING HAWAII'S COMMERCIAL BOATING AND OCEAN RECREATION INDUSTRY MADE BY THE SMALL BUSINESS TASK FORCE ON REGULATORY RELIEF," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3479) recommending that S.C.R. No. 169 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 169, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CONDUCT A STUDY ON METHODS TO FINANCE THE

UNDERGROUNDING OF OVERHEAD UTILITY LINES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3480) recommending that S.C.R. No. 170, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 170, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO COLLABORATE WITH ELECTRICAL SERVICE PROVIDERS AND ASSESS NET ENERGY METERING," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3481) recommending that S.C.R. No. 171, S.D. 1, be adopted.

On motion by Senator Chun, 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 THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF IMPLEMENTING A ONE-CALL SYSTEM TO LOCATE UNDERGROUND FACILITIES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3482) recommending that S.C.R. No. 173, S.D. 1, be adopted.

On motion by Senator Chun, 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 HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3483) recommending that S.R. No. 84, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 84, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAIIAN ELECTRIC COMPANY TO MAINTAIN ITS DEMAND SIDE MANAGEMENT PROGRAMS BENEFITTING ELECTRICITY CUSTOMERS," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3484) recommending that S.C.R. No. 179, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 179, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUIRING THE PUBLIC UTILITIES COMMISSION TO RESOLVE AVOIDED COST ISSUES," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3485) recommending that S.C.R. No. 181, S.D. 1, as amended in S.D. 2, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 181, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO CREATE AND IMPLEMENT A STANDARDIZED INTERCONNECTION AGREEMENT FOR SMALLER INDEPENDENT PRODUCERS OF ENERGY," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3486) recommending that S.C.R. No. 183 be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 183, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY OF THE USE OF HYDROGEN AS A FUEL FOR TRANSPORTATION AND POWER GENERATION," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3487) recommending that S.C.R. No. 199, S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 199, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS ON HOW TO IMPROVE THE LAWS CONCERNING THE SEXUAL EXPLOITATION OF WOMEN AND CHILDREN," was adopted.

Senators Fukunaga and Levin, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3488) recommending that S.C.R. No. 151, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 151, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO UPDATE ITS 1992 SUMMARY OF SPECIAL AND REVOLVING FUNDS AND TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII," was adopted.

Senator Inouye, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 3489) recommending that H.C.R. No. 126, H.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE GOLF COURSE INDUSTRY IN HAWAII AND DESIGNATING THE EWA PLAINS/KAPOLEI REGION THE GOLF CAPITAL OF OAHU," was referred to the Committee on Ways and Means.

Senator Hanabusa, for the Committee on Water, Land, and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3490) recommending that H.C.R. No. 27, as amended in S.D. 1, be adopted.

On motion by Senator Chun, seconded by Senator Slom and carried, the report of the Committee was adopted and H.C.R. No. 27, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION INVITING THE PRESIDENT AND CONGRESS TO GATHER WITH NATIVE HAWAIIANS IN OBSERVANCE OF THE CENTENNIAL OF THE ORGANIC ACT," was adopted.

ORDER OF THE DAY

THIRD READING

Stand. Com. Rep. No. 3390 (H.B. No. 2443, H.D. 2):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 3390 was adopted and H.B. No.

2443, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fukunaga).

Stand. Com. Rep. 3391 (H.B. No. 2555, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3391 and H.B. No. 2555, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION FUND EXPENSES," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. 3392 (H.B. No. 2568, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3392 and H.B. No. 2568, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. 3393 (H.B. No. 2569, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 3393 and H.B. No. 2569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND," was deferred until Tuesday, May 2, 2000.

Stand. Com. Rep. No. 3394 (H.B. No. 2997):

On motion by Senator Levin, seconded by Senator Buen and carried, Stand. Com. Rep. No. 3394 was adopted and H.B. No. 2997, 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, 23. Noes, none. Excused, 2 (Bunda, Fukunaga).

H.B. No. 1883, H.D. 2, S.D. 3:

Senator Fukunaga moved that H.B. No. 1883, H.D. 2, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Buen rose for a conflict ruling and stated:

"Mr. President, I rise to speak against this measure. I ask for a ruling on a potential conflict. I work for Maui Electric Company."

The Chair ruled that Senator Buen was not in conflict.

Senator Buen then rose in opposition and said:

"Mr. President and fellow colleagues, I have heard some say that I am voting for Hawaiian Electric Company. I want to make it clear that I am not! This bill will have a devastating financial impact on our consumers of electricity, while the special interest groups will be making millions.

"As long as renewable energy costs more than conventional energy today, the cost to the consumers will increase and this burden will be borne by our senior citizens, low income families, single parent families, and small businesses, all of whom are the ones that can least afford it.

"I am not against renewable energy. However, as long as renewable energy costs more than conventional energy, the cost of electricity will increase for the consumers. This is why I am opposing this measure. If renewables cost less and is just as reliable, then I am in support of renewables.

"In other words, let the free market and not the legislature, dictate which technology will be the most reliable and

economically feasible, while taking into consideration the environmental concerns.

"What is the equity in raising the threshold for a qualifying utility from 400 million kilowatt-hours to 500 million kilowatt-hours? This would only exempt Kauai from the mandates and extend that exemption to them until there is a 25 percent growth in their economy! The claim has been made that the change is needed should Lihue Plantation go out of business and Kauai would need time to come into compliance. Well, the same thing applies to Maui. What if HC&S would go out of business? Why are the Kauai consumers being granted an exemption and not the Maui consumers?

"This is also true for the consumers on Oahu, who would not be in compliance with the mandates and with little hope of developing large scale renewable energy projects necessary to meet the proposed mandates.

"Where are the consumer protection aspects of this bill? Other than so-called 'competition,' where is the regulatory review over the prices that must be paid by the consumers for this power?

"The claim has been made that Hawaii has renewables 'in abundance.' That may be so for some islands, but what is the situation on Oahu? Where is the hydropower? Where is the geothermal? Where will we put all of the windmills needed to meet the demands of H.B. No. 1883?

"Who has done a realistic assessment of the cost of this bill? Or a realistic appraisal on renewable technologies and their ability to meet the demands of this bill?

"If you want your constituents to subsidize these special interest groups, then I say vote for this bill.

"If you want to see 750 windmills as high as Aloha Tower on Waahila Ridge or other ridges, if it is determined that the wind is strongest there, then I say vote for this bill.

"Thank you, Mr. President."

Senator Slom also rose in opposition and said:

"Mr. President, I rise to speak in opposition to the bill. I have no conflicts that I'm aware of other than I pay electric rates -- high electric rates -- every month.

"I think this is a feel good bill. Everybody wants to talk about renewable energy, alternative energy. We've talked about it for years. We've delved into it for years. And what we've found out is that from a cost and economic perspective, it is not an efficient thing to do in the manner in which this bill sets it out to do. That does not mean that we're opposed to alternative energy or renewable energy. None of us are, including the utility companies.

"I've never been known as a great supporter of the utility companies in any of their specialized legislation, but in this case, the testimony that I've listened to, all of the people that I've talked to over and over again, they make very good points when it comes down to one thing -- if it's such a good thing, then why make it mandatory? Why have to force people?

"We talk about alternative energy and we see that each of the energy companies, and particularly Kauai, have done an excellent job in providing alternative energy. But we look at the Big Island, for example, we look at geothermal and what we find right now is that currently HELCO generates extra energy from geothermal but it's not enough to subsidize the mandates for HECO and MECO. And still we have environmental activists that are opposed to geothermal energy.

"We talk about other alternatives -- nuclear energy; we have environmental and other activists that are opposed to nuclear.

We talk about coal; we have activists that are opposed to coal. We talk about biomass. We look around, and while biomass certainly in the future is going to provide additional alternative options for us, right now it's not there. It's not there in the quantities or the percentages that would be required by this bill.

"In addition to that, this bill states that if the utility company is unable to meet the percentage, then the utility is subject to penalties. Guess what? Who gets to pay those penalties? We, the customers; we, the consumers do. We will pay the penalties. We will pay the cost for extra development.

"In addition to that, this mandate ignores the problems of site, site selection, site availability, permitting, environmental sensitivities, and costs. A facility that's needed to produce renewable energy requires open space. Even if the utilities were to purchase the land -- if it were available -- the current permitting process will delay construction of the facility and will be added to the cost. And again, it's those of us that are consumers who are going to be paying for it.

"So, none of us wants to be dependent on fossil fuel. None of us wants to be dependent on OPEC or the Middle East or anywhere else. But we cannot turn a blind eye to the economics and the realities and who actually is going to pay.

"So, if this is such a good idea, two things: it should not be mandated -- it should not be compulsory enforced with penalties and allowing additional litigiousness by people filing law suits; and secondarily, while we can applaud the island of Kauai, if it's good enough for Kauai to be exempted, then it should be good enough for the other islands as well.

"So I oppose this bill and urge my colleagues to think about it seriously. Thank you, Mr. President."

Senator Tam rose to speak against the measure and said:

"Mr. President and fellow colleagues, I rise in opposition to this measure.

"Over twenty years ago, the federal government encouraged the use of alternative energy by awarding large tax credits for the creation of windmill farms. Large investments were made to construct windmill farms in Northern California outside of San Francisco, which eventually resulted in the scarring of hundreds of acres of land with windmill towers. The contribution of windmills to the development of alternative energy was nil.

"A few days ago, ABC World News reported that alternative energy would not have an impact in the future, as the cost to produce electricity would be cheaper than alternative energy for the consumer to purchase.

"Consumer advocate testimony suggested that this bill be held until a formula is developed to purchase excess alternative energy by the electric company. The concern is that until cost is determined, we will be unable to evaluate the merits of this bill, especially as it relates to the increase in cost to the consumer. At present, the primary beneficiaries of the development of alternative energy would be the neighboring islands. The cost to Oahu residents, including my Senatorial District 13, would be considerable without any benefit to them.

"It is with these questions in mind that I urge my colleagues to join me in opposing this bill.

"Thank you."

Senator Sakamoto rose in opposition to the measure as follows:

"Mr. President, I rise in opposition. I'm certainly not in opposition to renewable energy; that certainly is a good thing.

"However, let me suggest two things. I think if we want renewable energy, first, let's reduce the regulations on the production of renewable energies; second, let's let the utilities have an increased rate of return for renewables, therefore giving them an incentive to produce renewables. Not at so much of an expense for cost, but maybe for a few percent increased rate of return, they will pursue renewables more vigorously.

"Thank you, 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 11:58 o'clock a.m.

Senator Chun rose in support of the measure and said:

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

"Mr. President, in a lot of the discussion the honorable Senators have been focusing on the fact that Kauai is exempt from the bill. I want to make it very clear -- Kauai is not exempting itself from the bill, it is allowing itself time to comply with the requirements of the bill.

"Right now, the bill, as it originally came from CPN, had a requirement of 400 million kilowatts before the restrictions of the bill would kick in. Right now, today, Kauai at best, I think, is generating somewhere around 390 kilowatts of power. So as it stands right now, Kauai would not be included in the bill.

"What the concern was, is that in the event AmFac went out of business, Kauai would need some additional time to get its resources and its permits, as the Senators have stated, in line in order to get back up to speed to comply with the renewable energy requirement. That additional time was foreseen as anywhere between one to two more years. And that's how the 500 kilowatt threshold was reached. We thought that was a time in which Kauai would be able to comply with the renewable standards.

"Now, it has been mentioned that why is Kauai getting a different consideration? I am not opposed to having islands, if they are in the same situation, given more additional time. However, the thing that I believe makes a difference in Kauai's situation is that during this time, the county is not only talking about what to do, they are actually in the process of doing something about it.

"Kauai, of all the other counties, is the only community right now that is actively in the process of owning its own electric utility and controlling its destiny. No other utility in this state is in the process of doing that. Second of all, Kauai is the only county right now that I can think of that is actively pursuing, on the county and the state level, permits to increase the amount of renewable energy within its grid. They are actively pursuing those types of alternative energy technologies now. I believe because they are actively pursuing those technologies now, rather than just talking about it, the honorable chairmen from this committee have recognized that good faith effort and have decided that they should allow them time because they are in the process right now, rather than just planning on it.

"Mr. President, I believe this bill is a good bill. Kauai is not exempted. When the 500 million kilowatts of energy threshold is there, they will have to comply like all other utilities with one big difference, the utility payers themselves will be owning the utility and directing its growth and its direction. Our plans are in place and we're in the permit processing right now.

"Thank you, Mr. President."

Senator Slom rose again and said:

"Mr. President, just a couple of additional remarks.

"First of all, the question of exemption versus time to comply, I certainly understand the good Senator from Kauai's remarks and I would suggest again, though, however, if it's good enough for the beautiful Garden Island, then the other islands also should have time to comply. In fact, because of the population, because of the problems that they have in terms of distribution, in size, and everything else, they probably should have more time to comply.

"But I think the real problem here is that we are doing this ass backwards. We have been trying to provide incentives for growth, for investment, and so forth, and this bill seeks to penalize and punish. So we've turned it completely around and it's in stark contrast to what we're doing with high tech and with other industries. We're saying, 'We want you to do these things; we want you to change; we want the new economy. So in order to do that, we're going to provide incentives for you; we're going to provide easier permit processing and everything else.' We're not doing that in this question of energy. It is all penalty and punishment.

"In addition to that, it sends yet another harsh measure to those investors on the mainland and elsewhere who would want to invest here. Why would you want to invest here if the state legislature is going to determine what the investment is going to be and what the company has to do?

"I've heard in the testimony, my good friends from the environmentalist community, they rail against profits; they rail against ownership and stockholders. So I've suggested to them, since they know all the answers and they know what's wrong with the present situation, that they should, themselves, go into the energy production business and then they can give as many rebates as they want; they can charge as little as they want; they don't have to worry about permitting; they don't have to worry about anything else. But in the real world, we do have to worry about these things.

"And so, if we're going to be serious about this and we want to send a message, then the message should be: let's have time to comply; let's make sure that we're on that process, but let's treat everybody the same -- and we're not doing that with this bill.

"Thank you, Mr. President."

Senator Anderson then rose in opposition and stated:

"Mr. President, I, too, will be voting against the bill.

"In Ways and Means, I reminded everybody that anytime we wanted to exempt a neighboring island (because they felt that they were being cheated or they would not participate), we would use specific language to exempt neighbor islands. For example, language to exempt a population base of 750,000; 800,000; whatever it was . . . 80 percent of the population tax base.

"We want to encourage the use of renewable energy. For a particular island, we may use the particular population base if we believe it can produce renewable energy from biomass or ethanol. On the Big Island, with geothermal or natural gas, whatever you have, use the population base. If Maui wanted to get into it, they could do that. But I didn't think it was fair that on Oahu, where the windmills failed, all of the sugar plantations have left. We asked the sugar plantations if they would stay in business, at least with the plantation, so that the state would have by-products sold in Hawaii at the Waipahu plantation. AmFac said 'no way.' They wanted to close the plantation. So we couldn't use it as a tourist attraction. We couldn't sell anything on the by-products that were made in Hawaii.

"Now, what we're asking everybody is, you get a tax credit and if it costs us more, then we will go ahead, buy your credit and charge the Oahu residents. I don't think that's fair, Mr.

President. If they want to have the chance to use renewable energy and their island is able to do it, I think that's fair. Don't exclude yourself, exclude us. There's no way we're able to meet these mandates today. We don't have the same options that you do.

"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 12:10 o'clock p.m.

Senator Taniguchi rose to speak in support and said:

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

"I appreciate the comments made by my colleagues this morning on this bill. This bill is going to Conference. You have my commitment, if I am able to get onto the Conference Committee, that we will address those issues in Conference and try to deal with the harsher aspects of this bill.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 1883, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (Anderson, Buen, M. Ige, Iwase, Kawamoto, Sakamoto, Slom, Tam). Excused, 1 (Bunda).

H.B. No. 2649, H.D. 1, S.D. 1:

On motion by Senator Chumbley, seconded by Senator Matsunaga and carried, H.B. No. 2649, H.D. 1, 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, 24. Noes, none. Excused, 1 (Bunda).

H.B. No. 2024, H.D. 1, S.D. 2:

Senator Fukunaga moved that H.B. No. 2024, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Levin.

Senator Slom rose in favor of the measure with reservations as follows:

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

"We have been talking about a legislative analyst position for quite some time, and the bill has been amended to clarify that the legislative analyst will be placed within the legislative auditor and will be selected by the legislature.

"My concerns are several. One, with that position. First of all, we said that before about the small business defender and now we're going to allow the governor to make that appointment. We've done it in other areas as well, where we have made strong statements about the responsibility and accountability of the legislature and then we've deferred and allowed the governor to do it. I'm just a little concerned that either we'll do that again here or that it may be very difficult again for years for both the House and Senate to agree on an analyst.

"In addition to that, I've got concerns about the blank appropriations for the Council of State Governments' dues and the blank appropriations for the Office of Information Practices

-- not only is that amount blank, but it doesn't even say what the ombudsman is going to spend the money for. There's also the blank amount for the auditor. I don't like blank amounts. I like the idea of moving the legislative analyst along. I think we need it, but I have those reservations.

"Thank you."

Senator M. Ige rose and stated:

"Mr. President, could you please note my reservations as well. Thank you."

The Chair so ordered.

Senators Anderson and Buen then requested their votes be cast "aye, with reservations," and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 2024, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At this time, Senator Inouye extended happy birthday wishes to Senator Slom on behalf of the Senate.

ADJOURNMENT

At 12:16 o'clock p.m., on motion by Senator Chun, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 14, 2000.